By Mr. HALPERN:

H.R. 16975. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. DEVINE:

H.J. Res. 1266. Joint resolution to provide for the settlement of the labor dispute currently existing between certain air carriers and certain of their employees, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HUNGATE:

H.J. Res. 1267. Joint resolution to authorize the President to proclaim the last week in October of each year as National Water Awareness Week; to the Committee on the Judiciary.

By Mr. TUNNEY:

H. Con. Res. 975. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. KLUCZYNSKI:

H. Res. 966. Resolution to authorize the printing of the hearings of the Committee on Public Works entitled "Relationship of Toll Facilities to the Federal Aid Highway Program"; to the Committee on House Administration.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHMORE:

H.R. 16976. A bill for the relief of Robert M. Gilkey, Jr.; to the Committee on the Judiciary.

H.R. 16977. A bill for the relief of Eugene G. Peterson, Harry E. Byers, and Russell W. Jordan; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 16978. A bill for the relief of Cheramukhathu John Paul and wife, Mary Paul; to the Committee on the Judiciary.

By Mr. HUNGATE:

H.R. 16979. A bill for the relief of Mr. and Mrs. Ben Elfline; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 16980. A bill for the relief of Dr. Albert Khabbaza; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 16981. A bill for the relief of Modestino Caiazza; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 16982. A bill for the relief of Othon Da Rocha Rebelo; to the Committee on the Judiciary.

By Mr. WELTNER:

H.R. 16983. A bill for the relief of Virgilio A. Arango, M.D.; to the Committee on the Judiciary.

# SENATE

## WEDNESDAY, AUGUST 10, 1966

*(Legislative day of Tuesday, August 9, 1966)*

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Facing today and the days ahead, problems which tax all the resources of Thy public servants in this historic Chamber, give them, we beseech Thee, the untroubled calm and confidence which illumines faith in the final triumph of every true idea let loose in the world. And in the broad battlefield where truth and falsehood are locked in mortal combat, bar our own hearts to all cynicism and hatred; and as we fight the good fight, may our strength be as the strength of 10 because our hearts are pure.

We ask it in the ever-blessed name of the Holy One who has declared, *Blessed are the pure in heart for they shall see God.* Amen.

## ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, will the Chair lay down the order for today?

The VICE PRESIDENT. The order is that after the prayer, the Senator from West Virginia [Mr. BYRD] be recognized.

Mr. MANSFIELD. I ask unanimous consent to yield 1 minute on the bill to the Senator from Missouri.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. When the Senator from West Virginia arrives, he will be recognized, under the previous order.

The VICE PRESIDENT. The Senator is correct.

## INDEPENDENT OFFICES APPROPRIATIONS, 1967

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, which is H.R. 14921.

The Senate resumed the consideration of the bill (H.R. 14921) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1967, and for other purposes.

## ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, under the bill, I yield a minute to the Senator from New York.

## CIVIL RIGHTS ACT OF 1966

Mr. JAVITS. Mr. President, I make a parliamentary inquiry. When the civil rights bill of 1966, which is H.R. 14765, comes to the Senate, does the Vice President intend to have it read in its successive stages at the desk, so that Members may avail themselves of their rights under rule XIV or other rules of the Senate?

The VICE PRESIDENT. The Chair would have the right, under the rules of the Senate, upon the receipt of the bill from the House, to lay it before the Senate and to have it read the first time.

Mr. JAVITS. I wish to announce that it is my intention—I hope and pray the leadership does it; I have no desire to do it—to object to its referral to a committee after second reading.

The VICE PRESIDENT. The Senator will have the right to object to further proceedings on the bill after the second reading, if he is present to object.

## ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the acting minority leader, under the bill.

## A PLEA FOR RESPONSIBILITY

Mr. KUCHEL. Mr. President, in June the Parks and Recreation Subcommittee of the Committee on Interior and Insular Affairs held field hearings in Crescent City, Calif., on my bill (S. 2962) to create a Redwood National Park.

In his statement presented at the field hearings, Dr. Ralph W. Chaney, president of the Save-the-Redwoods League and a distinguished scientist and world-renowned friend of conservation, stated:

> More in sorrow than in anger (although that might be justified) we have to note that since the national park program on the Mill Creek watershed has crystallized, serious inroads have been made by lumbering operations within important segments of the virgin forests, particularly on the south boundary of the present Jedediah Smith State Park and along Mill Creek.

After hearing Dr. Chaney's statement, the other members of the committee and I had an opportunity to view, from helicopters, the cutting to which Dr. Chaney referred. What we saw caused us to share Dr. Chaney's sorrow. We were more than sad. We were indignant. We saw extensive new cutting in an area of virgin redwoods immediately south of the Jedediah Smith Redwoods State Park and within the proposed national park area described in my bill. Detailed aerial photographs of the Del Norte County coast area, taken on July 8, 1965, and April 13, 1966, clearly show the recent cutting into the heart of our proposed Redwood National Park. Its effect would be to create an ugly corridor, a no man's land, separating the existing State park from the virgin area covered in my bill.

The Congress of the United States, as a great legislative body, by nature, acts slowly. The deliberative character of the national lawmaking procedure is being turned against the public interest by persons who forsake other timberlands under their control, and send their saws and axes into the virgin area precisely where we seek to establish a national park.

Dr. Chaney pointed out at the hearings in Crescent City:

> From our own observations and from their own statements, we understand that the Rellim Co. owns some 2,000 acres of first growth Redwoods outside the park boundaries. They inform us that their present rate of cutting is approximately 300 acres of first growth per year. On this basis they would have available a supply of Redwood stumpage for 6 to 7 years, which should give ample time to work out the establishment of the Redwood National Park.

Later, during the hearings, I put a question to Mr. Harold Miller, president of Miller-Rellim Redwood Co.—I observe that "Rellim" is "Miller" spelled backward—which resulted in the following exchange:

> Senator KUCHEL. Would it not be better, Mr. Miller, in the future, for us to agree that, while legislation is under discussion in the

Congress, precautions be taken that the area contemplated to be used as a park be left alone to the greatest extent economically feasible?

Mr. MILLER. It would certainly not be feasible. You just cannot move your operation around that way.

In earlier times, before the harvest of redwoods began, there were approximately 2 million acres of coast redwoods in California. Less than 20 percent of the original virgin forest now remains. Less than 3 percent of the original virgin redwood forest is in parks today.

No one is more conscious than I of the constitutionally protected rights of the owners of private property. The right to hold and dispose of private property is basic to our way of life. But should not every citizen, property owner or not, consider his obligation to society as a whole?

The bill I sponsor is supported by the President, the Secretary of the Interior, the Governor of California, and many conservation-minded Senators and Congressmen and citizens. The Save-the-Redwoods League urges its adoption. But, as the wheels of the legislative machine slowly turn, the private owners of this priceless natural resource have, it seems to me, a responsibility to their fellow citizens, a moral obligation far transcending the normal legal rights and obligations of landowners. They have, I think, an obligation to respect the efforts of the people's representatives to preserve these giants. Theirs is a responsibility to stop slashing down these ancient trees, hellbent on their almost complete obliteration.

Some of these redwoods have taken 2,000 years to grow to their present grandeur. Those who would sever them from the earth are not answerable to Congress or the courts. They are, however, answerable to the people of this country, and to posterity. These giant trees belong to the ages.

On July 13, 1966, I wrote Miller-Rellim Redwood Co. again urging it to announce "a suspension of cutting in vital areas of virgin redwoods within the proposed park boundaries until Congress had had time to act on this legislation." Mr. President, I ask that my July 13 letter to Miller-Rellim be included in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection it is so ordered.

(See exhibit 1.)

Mr. KUCHEL. Nearly a month has passed and no responsive answer or announcement has been heard. I have received one letter from Mr. Miller's secretary and one from his attorney, but none from the man in whose hands the fate of the Redwood National Park lies. Mr. President, I ask that the letters which I have received from Mr. Miller's secretary and his attorney be included in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 2.)

Mr. KUCHEL. The sum of the responses from Miller-Rellim Redwood Co. is delay. And as the private owner stalls off my efforts to achieve a suspension of cutting within the proposed park boundaries, what is happening on the land? What is happening, Mr. President, is that Miller-Rellim Redwood Co. has slammed the gates to its property shut in order to keep the Congress from knowing how much and how fast it is cutting. I ask to have printed in the RECORD at the conclusion of my remarks a letter which Mr. Darrell H. Schroeder, vice president of Miller-Rellim Redwood Co., wrote to the National Park Service on July 26, 1966, denying the Park Service access to the Miller property so that the Park Service might be prevented from presenting the true facts at coming hearings on the legislation.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 3.)

Mr. KUCHEL. Mr. President, this is a fight for the people. It is a fight to preserve as a national park a plot of ground on which still stand these living giants. It is a fight against the spoliation of whole mountains, against the marauding devastation of virgin forests. It is a fight in which the people of my State and our country ought to enlist, to protect and to preserve a little, a precious little, ground on which the mighty redwoods grow.

When I add up what I have seen firsthand in visiting the Miller-Rellim property, what I have seen in aerial photographs, what I have heard from administration officials, what I have heard from respected conservationists, plus Miller-Rellim's failure satisfactorily to respond to my repeated request, I am compelled to conclude that the Miller-Rellim Redwood Co. is pursuing a program designed to destroy the park value of this portion of its timberlands by cutting out its heart.

I again urge Miller-Rellim voluntarily to suspend cutting in vital areas of virgin redwoods within the proposed park boundaries until Congress has had time to act on this legislation. I ask the company to do so in a spirit of cooperation and with an awareness of the responsibilities imposed upon it as trustee of a great vanishing natural resource.

EXHIBIT 1

U.S. SENATE,
COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS,
*July 13, 1966.*

Mr. HAROLD A. MILLER,
*President, Miller-Rellim Redwood Co.,*
*P.O. Box 356,*
*Crescent City, Calif.*

DEAR MR. MILLER: During the recent Redwood National Park field hearings held by the Parks and Recreation Subcommittee of the Senate Committee on Interior and Insular Affairs in Crescent City, California, it was disclosed that in recent months your company has been moving its cutting operations into virgin stands of redwoods on your property south of the boundary of Jedediah Smith State Park.

Since you own substantial redwood acreage outside the proposed park boundaries, I asked you, during the hearings:

"Would it not be better, Mr. Miller, in the future for us to agree that, while this legislation is under discussion in the Congress, precautions be taken that the area contemplated to be used as a park be left alone to the greatest extent economically feasible?"

Your reply was:

"It would certainly not be feasible. You just cannot move your operation around that way."

No one is more conscious than I of the constitutionally protected rights of the owners of private property. The right to hold and dispose of private property is basic to our way of life.

The few remaining old growth redwoods represent a priceless, irreplaceable part of our American heritage. As the wheels of the legislative machine slowly turn and as legislation to create a Redwood National Park is pending in Congress, I believe that you, as the owner of properties which include this natural resource have a responsibility to our fellow citizens, a moral obligation, which far transcends the normal legal rights and obligations of land-holding. I believe that you have an obligation to respect the efforts of your fellow citizens to preserve some of these giants, and not to frustrate those efforts or render them meaningless. Yours is responsibility to refrain from felling these ancient trees at the very time some of us in Washington are attempting to save them.

I again urge you to publicly announce, in a spirit of cooperation and with an awareness of the responsibilities imposed upon you as trustees of this disappearing natural resource, a suspension of cutting in vital areas of virgin redwoods within the proposed park boundaries until Congress has had time to act on this legislation.

With kindest regards,

Sincerely yours,

THOMAS H. KUCHEL,
*U.S. Senator.*

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EXHIBIT 2

MILLER REDWOOD CO.,
*Crescent City, Calif., July 18, 1966.*

Hon. THOMAS H. KUCHEL,
*U.S. Senate,*
*Washington, D.C.*

MY DEAR SENATOR KUCHEL: In Mr. Miller's absence, I wish to acknowledge receipt of your letter of July 12th. While a photocopy of your letter has been forwarded to Mr. Miller, it is unlikely that he will have an opportunity to reply until after his return to this office on August 3rd.

Very truly yours,

VELMA JEREMIAH
Mrs. Velma Jeremiah,
*Secretary to Mr. Harold A. Miller.*

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RAGAN & MASON,
*Washington, D.C., August 2, 1966.*

Hon. THOMAS H. KUCHEL,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR KUCHEL: On July 13, 1966, you wrote to Mr. Harold Miller, President of Stimson Lumber Company. For your ready reference, a copy of your letter is attached hereto.

In your letter you asked Mr. Miller to publicly announce, with the awareness of his responsibilities that he is suspending cutting in a "vital area of virgin Redwoods."

Mr. Miller and I have discussed your letter and it was agreed that I would respond as outlined below. However, I have recently been ill and consequently have not had the opportunity of responding to your letter until today.

Before responding in substance, I must refer to the record of the hearings at which time your point was also raised, and at which time I pointed out that over fifty members of Congress have supported legislation to impose the park elsewhere. I think you must agree that the predominance of support for a Redwood National Park is not on the *locus* of the Administration's proposal. As was pointed out in the hearings, the park proposal has been pending for a number of years and the predominant support for a park is not in the area affecting the Miller land.

We therefore respectfully request that you advise as to whether or not similar letters

were sent to other companies that are involved in cutting adjacent to the other and more heavily supported park proposal.

I would also like to call your attention—and again not as a response in kind to your subject letter—to an article in the New York Times of July 31, 1966, a copy of which is enclosed. This article points out that the Federal Government is, of itself, harvesting millions of board feet a year from virgin Redwood timber supplies. Has the Department of Agriculture been requested to cease cutting until the issue is resolved?

Because of your keen and sincere interest in the park site for the people of your constituency perhaps, before our responding in kind to your letter it might be well if we had an opportunity for a discussion.

Very truly yours,

RAGAN & MASON,
WILLIAM F. RAGAN.

Enclosures.

cc: The Honorable ALAN BIBLE, HENRY M. JACKSON, B. EVERETT JORDAN, FRANK E. MOSS.

EXHIBIT 3

JULY 26, 1966.

Mr. ROBERT S. LUNTEY,
*Assistant Chief, Office of Resource Planning, San Francisco Planning and Service Center, National Park Service, 450 Golden Gate Avenue, San Francisco, Calif.*

DEAR MR. LUNTEY: This will respond to your letter requesting permission to take certain photographs of our property for purposes of showing them to the Senate Sub-Committee concerned with the proposed national park.

Please be advised that we have conferred with our Counsel in Washington, and we hereby deny your request. As you should be aware five members of the Sub-Committee, including the Chairman of the full committee, were recently in Crescent City and personally visited our lands. In addition to that the same group flew over the entire territory by helicopter. Accompanying the senators were representatives of the Park Service. As we are aware, many factors concerning this proposed park have been distorted and photographs similarly can cause an erroneous impression.

We consequently see no reason why in such a short space of time the expense of photographs to make expensive montages to impress the committee is necessary. Consequently, this request is denied.

Very truly yours,

RELLIM REDWOOD CO.,
DARRELL H. SCHROEDER,
*Vice President.*

## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Tuesday, August 9, 1966, was approved.

## THE GROWING PROBLEM OF CRIME IN THE UNITED STATES

Mr. BYRD of West Virginia. Mr. President, today this Nation is faced with a tremendous problem in a word which is appearing—unfortunately—each day in headlines of our newspapers—and that word is "crime." We live in an era of increasing crime and violence. Two mass murders have occurred in less than 3 weeks—in Indiana on July 14, and on August 1 in Texas—and a total of 24 persons died.

At this very moment somewhere in our country citizens are being murdered, assaulted, raped, and robbed. Though completely innocent themselves, they may bear for the remainder of their lives the scars given them by hoodlums and desperadoes. The time has come for every American to be concerned.

When we mention crime, we should not visualize merely a stolen car, a burglarized filling station, or a victim of assault. These are the evidences of crime—but in our complicated world of today crime has a much more far-reaching complex status than the common conception of murder or theft. There are, of course, the so-called above-ground crimes; namely, murder, assault, and theft. But, today, crime also abounds underground—in gambling, corruption, malfeasance in office, and is often known as organized crime. Crime also relates to probation and parole statutes, to law-enforcement agencies, to sex offenders, to the failure of citizens to understand their responsibilities in society.

Today I want to take sufficient time to discuss some aspects of the crime problem.

### NATIONAL CRIME PICTURE

The waves of lawlessness are beating strongly against the shorelines of our national life. According to the FBI's Uniform Crime Reports, 2,780,000 serious crimes were reported during 1965, representing a 6-percent increase over the previous year. Of course, the total number of criminal acts that occur is unknown because many crimes never come to the attention of the police. This is an appalling tragedy.

Since 1958, crime has increased six times faster than our population growth. No aspect of crime is today taking a holiday. Last year, crimes of violence—that is, murder, nonnegligent manslaughter, forcible rape, robbery, and aggravated assault—climbed 6 percent as a group. Property crimes of burglary, larceny $50 and over, and automobile theft were also up 6 percent, resulting in total property stolen in excess of $1 billion.

In 1965, a serious crime was committed every 12 seconds, with a burglary occurring every 27 seconds, an auto theft every 60 seconds, a robbery every 4½ minutes, a forcible rape every 23 minutes, and a murder every 53 minutes.

Crime showed no favoritism to any area of this Nation. Geographically, all regions registered increases, led by the Western States with a 10-percent rise, followed by the Northeastern States, up 8 percent, and the North Central and Southern States, up 4 percent.

Most of us would probably surmise that crime is increasing in large cities of at least 250,000 in population. This assumption is indeed correct, with crime reflecting a 4-percent jump.

But the rapidly expanding suburban areas around our big urban centers reflected an 8-percent jump—twice that of cities. This is the area where allegedly law-abiding, well-behaved, intelligent people live—yet in these areas we find lawlessness growing with fantastic speed. However, the FBI reports show that many of the offenders in suburbia are nonresidents. For example, in the Maryland and Virginia suburbs of the Washington, D.C., metropolitan area, 31 percent of all persons taken into custody were nonresidents of the communities in which they were arrested.

The rural areas showed a 3-percent jump. My own State of West Virginia, a so-called poverty-stricken State, was 49th among the 50 States in the overall crime rate per 100,000 inhabitants, 49th in the number of burglaries, 50th in the number of larcenies, and 50th in the number of auto thefts.

The crime picture is today one of America's great, black spots of shame. Like a giant mushroom cloud, it puts its sooty finger on every American, regardless of where he may live.

Just why is crime on such a spree in a society which calls itself rational and intelligent? Why, last year, was murder up 6 percent, forcible rape up 9 percent, robbery up 6 percent, aggravated assault up 6 percent, burglary up 6 percent, and automobile theft up 5 percent?

The inner core of this tragedy is reflected even more in the statistics from the FBI concerning juvenile misbehavior. Last year, 63 percent of all arrests for serious crimes involved persons under 21 years of age. While the increase in the 10- to 17-year-age group population was 17 percent in the period 1960–65, police arrests of persons under 18 years of age, for serious crimes, jumped 47 percent during that period. Thus, it can be clearly observed that the percentage increase in the criminal involvement of those young persons, as measured by police arrests, is more than triple their percentage increase in the national population. However, it should be remembered that only a small percentage of the total young age population becomes involved in criminal acts—less than 5 out of 100.

Last year, persons under the age of 25 comprised 74 percent of all police arrests for serious crimes in large cities, 72 percent in rural areas, and 78 percent in the suburbs.

Male arrests for all crimes outnumbered female arrests 7 to 1; however, female arrests continued to increase more rapidly in 1965. Female arrests, overall, accounted for 13.4 percent of the total, 18 percent of the forgery, 20 percent of the fraud, 17 percent of the embezzlement, 17 percent of the criminal homicide, 4 percent of the auto theft, and 22 percent of the larceny arrests.

Nonwhites accounted for 52 percent of the arrests for forcible rape, in cities and suburbs, and 59 percent of the murders and nonnegligent manslaughters.

In 1965, the clearance, or police solution, rate nationally was 24.6 percent, virtually unchanged from 1964. Significantly, however, according to the FBI Uniform Crime Reports for 1965, there was a 5-percent decrease from the previous year in the number of adults found guilty and a sharp 13-percent increase in the number of acquittals and dismissals. Three out of every 10 murder defendants were either acquitted or their cases were dismissed at some prosecutive stage, over one-third of those charged with forcible rape were acquitted or had their cases dismissed, and over one-third of the persons charged with aggravated assault won freedom through acquittal or dismissal.

A significant fact emerges—

States the 1965 FBI Uniform Crime Reports.

Since 1962, acquittals and dismissals for the serious crimes, as a group, have risen 14 per cent.

The offense which had the highest percentage of acquittals and dismissals was forcible rape with 43 percent.

According to the FBI Uniform Crime Reports, 53 of America's finest law-enforcement officers were killed last year by the brutal assaults of criminal desperados. During the 6-year period, 1960–65, a total of 278 officers were killed by criminal actions. Records showed that, of those arrested for murdering these policemen, 76 percent had been arrested on some criminal charge prior to the time they killed the policemen, and, very significantly, over one-half of the group had been previously arrested for assaultive-type crimes such as rape, robbery, assault with a deadly weapon, and so forth. In fact, nine had been charged on some prior occasion with an offense of murder, seven of whom had been paroled on the murder charge. Sixty-eight percent of the persons responsible for the murders of the policemen had prior convictions on criminal charges, and more than two-thirds of the group had received leniency in the form of probation or parole on at least one of these convictions. More than one of every four of the murderers was on parole or probation when he killed a police officer.

The number of serious crimes is an affront to a nation which prides itself on being civilized. Murder and assault are throwbacks to the jungle, where man lived on the skill of his knife and spear. Surely, one of the characteristics of an intelligent and rational society is the opportunity of citizens to live in safety—whether in their homes, or on the streets or at their daily work.

Just who are the hard-core criminals today? Do we have any information about them?

THE HARD-CORE CRIMINAL

The FBI has undertaken a most revealing study of selected hard-core criminals. These studies indicate that our total criminal population is much smaller than total annual crime would suggest. The explanation is that our rate of criminal recidivism is high. For example, the FBI studied the criminal histories of selected murderers, bank robbers, and fugitive felons. Of the 900 persons arrested for murder at some stage in their careers, it was disclosed that they had an average of more than 6 arrests over a 9-year span. Twelve percent of these offenders had more than one murder charge on their record.

What did the FBI study show about bank robbers—always a dangerous breed of desperados? For bank robbers arrested and charged in 1963 and 1964 their average age was 31 and their average criminal career was over 10 years. During this time, they had averaged five arrests, almost one-half of them for serious crimes. More than three-quarters of these bank robbers had been arrested for other crimes prior to their arrest and charge for bank robbery. Only a small number of bank robbers—3 percent—had repeated this crime after first being arrested for bank robbery. Why this small rate of recidivism? The answer probably lies, according to Mr. J. Edgar Hoover, in the high conviction rate and prison terms given by the courts.

These facts indicate that the high volume of offenses in this country are being committed by a relatively small criminal population. The intensity of this criminal activity is highest in the younger age groups.

What does this mean? Simply this—more preventative action is needed in the early years to prevent these youngsters from being hard-core criminals. Moreover, we must look frankly at some of the abuses of judicial leniency.

PAROLE AND PROBATION

Although parole and probation are vitally necessary to the American judicial system, they are, unfortunately, frequently abused. The 1964 annual report of the U.S. Board of Parole pointed out that the maximum sentence imposed by the Federal courts during 1964 was 50.4 months, while the average stay in prison of all Federal prisoners was only 17.5 months. This clearly shows that Federal prisoners are serving much less than half of their intended sentences.

Has parole or probation or other forms of leniency such as the suspended sentence or the conditional release tended to rehabilitate criminals, lessen the crime rate, or stop recidivism? An FBI study of some 92,000 criminal offenders in 1963–64 showed that 76 percent were repeaters—that is, they had a prior arrest on some charge. Leniency in the form of probation, suspended sentence, parole, or conditional release had been afforded to 51 percent of the offenders. After the first leniency, this group averaged more than three new arrests. Murders, rapes, and aggravated assaults committed by those on probation all attest to the fact that there is indeed a severe lack of insight surrounding these cases.

Headlines of every major newspaper in the country reflect the daily onslaught on the American citizenry by deranged individuals who have received undeserved judicial leniency. In 1964, one of these sadists, a man who had pleaded guilty to two vicious murders in 1956 and was subsequently convicted and sentenced to life imprisonment, was set free to roam the streets again. This individual possessed nothing less than a 47-year-old criminal record. Yet, only 8 years was the penalty for his act. Less than a year later, this man was before the bar of justice again, this time for his alleged participation in a dual murder.

Another recent, tragic example of undeserved leniency involved a midwestern individual who had served 8 years in prison for the brutal slaying of two western police officers. The two policemen were cut down in the line of duty while attempting to arrest their slayer. The man was sentenced to life imprisonment and 25 years, the sentences to run concurrently. However, after only 8 years had transpired, the prison opened its doors feeling that society's debt had been paid.

I am not a man without compassion or forgiveness, but it outrages my sense of righteousness to think of this man walking free in society—a man who had cut short the lives of two officers of the law.

This is not an isolated case. Cases such as the ones I have described constantly arise. Undeserved parole and probation are open invitations to criminals, whether they be smalltime hoods, or bigtime operators, to continue their assaults against society.

Therefore, it is mandatory that a scrupulous eye be affixed to judicial leniency. Commonsense dictates that our society must be protected from people who, convicted of violent crimes, will do everything within their power to continue their nefarious way.

SEX CRIMES

Outside of murder itself, perhaps the most reprehensible crime perpetrated is that of rape. Last year, there were 22,470 forcible rapes or assaults in the United States. Above and beyond this figure many of these crimes are never reported to the police, primarily because of fear or embarrassment on the part of the victims.

For the period 1960–65, forcible rapes have increased 36 percent. These statistics can be more easily understood when we realize that in 1965, 61 such offenses occurred each day of the year—a rape every 23 minutes.

The rapist, the child molester and the "peeping tom" are basically depraved individuals. Unfortunately, sex crimes are the ones particularly susceptible to recidivism, that is, people with records of such offenses tend to commit them over and over again. Often, however, these people are placed on probation, especially if it is a first offense or they are sent to hospitals for "rehabilitation." Sadly enough, in many cases, this period of "rehabilitation" only consists of a short time after which the individual is released. A few days or weeks later he is again arrested for the same crime.

LAW ENFORCEMENT TRAINING

American law enforcement today stands on the front line against the criminal. In 1965, according to the FBI Uniform Crime Reports, the ratio of police to population in 3,613 cities with a population of 109 million represented some 1.7 officers per 1,000 population. Actually, this manpower is inadequate to perform the mounting task facing law enforcement. Today, especially in large cities, an ever greater demand is being made for placing officers on patrol duty. Often, for the sake of safety, they must go in pairs. But, as can be seen, patrol duty is an enormous drain on manpower. Too often, the chief of police does not have the men to do what he knows should be done.

In the suburbs, with a population of 40 million, which are today registering the largest increases in crime, the police employee ratio drops to 1.2 per thousand population. Actually, the average ratio of police to population has remained

pretty much unchanged since 1958, despite an increase in the volume of crime, an increase in motor vehicle registrations, and a constantly rising demand for other police services.

What are the factors back of the appalling increase in the volume of crime here in America? There are, obviously, many factors such as population growth, a high rate of mobility, and so forth. However, there are two factors to which I especially wish to address my comments at this time. One of these concerns civil disobedience and demonstrations, and the other concerns recent court decisions which make more difficult the arrest, prosecution, and conviction of criminals.

CIVIL DISOBEDIENCE AND DEMONSTRATIONS

Over the past 3 or 4 years our society has been subjected to a virtual wave of demonstrations. America has been afflicted by an epidemic of acts of so-called civil disobedience. Laws, whether in the form of municipal ordinances or in the form of State statutes, have been willfully and intentionally disobeyed by individuals and by groups. Private property has been subjected to deliberate trespass, and mobs have taken to the streets, interfering with commerce, creating disorder, and breaching the peace.

Wherever the so-called nonviolent movement has gone, violence has all too often accompanied it. In many instances it could have been, and was, anticipated that the highly publicized "nonviolent" demonstration or march would likely provoke violence, and it was probably hoped by some that it would do so. Violence was, in some instances, apparently the catalyst so necessary for success.

Aided and encouraged by vote-seeking politicians, by some segments of the big city press, by various church groups, and by sincere do-gooders, those who advocated, paritcipated in, and led demonstrations went on to advocate, participate in, and lead greater and larger demonstrations. From demonstration to demonstration, march to march, headline to headline—so it went. To lie down in the streets and be carted off to jail was heralded by some as an act of Christian witnessing, and a record of arrest for acts of so-called civil disobedience was considered a badge of honor for the person with such a record. To march in front of television cameras, arm in arm with demonstrators, became the craze of the times.

Civil disobedience was sometimes advocated from some of the pulpits throughout the land and was encouraged, upon occasion, by public officials whose voices joined in the refrain "we shall overcome." Sit-ins, wade-ins, and walk-ins became the order of the day. Demonstrators chained themselves one to another, to form human walls in front of business establishments. Children in schools were exhorted to absent themselves and participate in marches and demonstrations in violation of the law. Court orders were flouted by demonstration leaders. Frequently, the mobs were so large that the police were helpless to make arrests, and wrongdoers went on their merry way unchallenged. Not uncommonly, mobs converged upon jails to demand that those persons arrested for violating the laws be released to violate the laws again.

Literally hundreds of agitators, troublemakers, publicity seekers, as well as good and noble men and women crusading for what they believed to be a just cause, converged from all points of the compass upon troubled communities traveling by bus, by train, by airplane, and on foot to participate in this march or that march and then to depart as hurriedly as they had arrived. That they left behind them aroused passions, renewed hatreds, and exacerbated frictions was of little consequence. The march, after all, had gone forward to reach its goal, and had, therefore, been a success. Men and women sought to build or embellish reputations by participating in the marches or by getting themselves arrested, thus hoping to gain a little local, or even national, notoriety.

These acts of so-called civil disobedience were proclaimed time and time again by important public personages to be in the finest of American tradition, and it became rather commonplace to hear glowing references made to the Boston Tea Party as an act of civil disobedience on the part of our forebears and come to be equated with acts of civil disobedience lately being witnessed. Human rights were loudly proclaimed to be superior to property rights—among the oldest and most basic of natural and human rights—and demonstrators arrested and convicted for trespassing on private property were exculpated by the U.S. Supreme Court and their convictions voided.

It was said to be good Christian doctrine to disregard manmade laws which conflicted with one's own conscience. If one felt a particular law to be wrong, then he was to consider himself free, by a higher moral law, to disobey such a manmade law or ordinance. In other words, each individual was to become the self-determiner of those laws which he would obey and those laws which he would not obey. This was a curious and strange doctrine, indeed, in a government reputed to be a government of laws and not a government of men.

In the face of such a situation as I have described, is it any wonder that we have observed a growing disrespect for law and order? Should it come as a surprise that young people, seeing their parents and activist members of the clergy engaging in demonstrations and acts of civil disobedience, would come to believe laws are made to be broken rather than kept? Is it any wonder that young people came to look upon an arrest record as a matter of little or no concern? And, if it was excusable—or even popular—to disobey a municipal ordinance or to become involved in a minor infraction of the law, need one draw the line, and, if so, where?

If one law could be flouted with impunity, why could other laws not be similarly disregarded? If one could cavalierly disobey a municipal ordinance, why not disobey a State statute? If one could commit a misdemeanor and go unpunished, why not a felony? If it was the accepted norm for one's parent to break the law and heap abuses upon policemen, why was it not equally acceptable for the student to be disrespectful toward his teacher? In such an atmosphere of permissiveness, civil disobedience, and disrespect for civil law, the seeds of crime took deeper root, and the Nation is now reaping the harvest.

HANDCUFFS ON LAW ENFORCEMENT

During recent years many court decisions have been rendered in the general field of civil liberties which affect the day-to-day work of law enforcement. From a society in which some constitutional rights were often ignored or overlooked, we have now become a society in which no constitutional right of any person is too unimportant for the courts and public opinion to scrutinize.

As a result, a number of court decisions have strengthened the rights of the individual and restricted the power of the police. No American, in any way, wants to see any abrogation of civil liberties or abuse of constitutional privileges. Yet, there is conclusive evidence that some judges, in their decisions, are today unnecessarily fettering law enforcement; that is, putting unrealistic handcuffs on the police.

Take, for example, a Chicago judge's decision in March 1965, which acquitted two defendants in a case in which two plainclothes police officers were attacked in a street assault. One of the officers was so severely gashed, he spent 23 days in the hospital, where 28 stitches were required to close his wound. One of the assailants had a broken beer bottle and the officers, after identifying themselves, drew their pistols and ordered the man to drop the bottle, which he refused to do.

In releasing the two men, the judge said:

> The right to resist unlawful arrest is a phase of self-defense. What is a citizen to do when he is approached by two officers with a gun?

Seldom has a more unrealistic judicial decision been rendered. Here was a case of a defendant who had used a broken beer bottle to attack officers who had properly identified themselves and who had drawn their weapons in justifiable circumstances. Yet, the arresting officers were criticized.

Never must we forget, Mr. President, that the citizens of the community also have rights. Where the balance is weighted too heavily in favor of the criminal, giving him every break and puting cuffs unnecessarily on the police, the cause of good society is not promoted.

On June 13, the U.S. Supreme Court hung yet another anchor around the necks of this Nation's police officers.

The 61-page decision, written by Chief Justice Warren and the concurrence of Justices Black, Douglas, and Brennan, came as no particular surprise. It is in keeping with the trend of decisions which these men have handed down for years—decisions which hamper effective law enforcement, elevate individual rights out of perspective, and regulate the overall rights of society to a secondary position.

But there are many who were surprised to see Justice Fortas joining these four

to form a majority and thus enable the Supreme Court to once again impede law enforcement. It was, after all, only last year that Justice Fortas testifying before the Judiciary Committee of this body which was considering confirmation of his appointment to the Supreme Court, declared that he believed the "adequate opportunity" for police interrogation of persons accused or suspected of a crime is absolutely essential to law enforcement.

In the words of an editorial from the June 15, 1966, issue of the Washington Evening Star, under the decision which Justice Fortas helped to make effective, "opportunity for police interrogation becomes, not adequate, but virtually impossible. Law enforcement, and especially the public, will suffer accordingly," the newspaper declared.

This landmark decision—and indeed it must be so characterized since it introduces an entirely new concept into police operations—interposes for the first time the full impact of the fifth amendment protection against self-incrimination on the police-suspect relationship.

The Court said:

We hold "that when an individual is taken into custody or otherwise deprived of his freedom by the authorities and is subjected to questioning, the privilege against self-incrimination is jeopardized. Procedural safeguards must be employed to protect the privilege. . . .

Here are the safeguards demanded by the five men—the rules which they have imposed on all the police officers of this land:

He (the suspect) must be warned prior to any questioning that he has the right to remain silent, that anything he says can be used against him in a court of law, that he has the right to the presence of an attorney, and that if he cannot afford an attorney one will be appointed for him prior to any questioning if he so desires. Opportunity to exercise these rights must be afforded to him throughout the interrogation. After such warnings have been given, and such opportunity afforded him, the individual may knowingly and intelligently waive these rights and agree to answer questions or make a statement. But unless and until such warnings and waiver are demonstrated by the prosecution at trial, no evidence obtained as a result of interrogation can be used against him.

The Honorable J. Edward Lumbard, chief judge of the Second Circuit Court of Appeals, in September 1963, wrote in the American Bar Association Journal that there have been two distinct trends in the criminal law during the last 40 years—"to strengthen the rights of the individual and to restrict the powers of the police."

In April 1964, Jenkin Lloyd Jones, noted editor and newspaper columnist, summed up the feelings of many in a column he called "Weeping for the Innocent" with these words:

It is time that decent Americans begin to yell bloody murder. The robbers have been chasing the cops long enough. Let's turn the race around. Let's recognize that honest people have some rights, too, and that among these rights is the protection afforded by making it dangerous to rob, loot, maim or murder them.

Well, a lot of decent Americans have been yelling bloody murder, but their shouts have gone unheeded by a Supreme Court which seems to hear only the sentimental and illogical gush of the small minority intent on elevating the rights of the individual above the rights of society. So, the scales of justice, which should be maintained at a delicate balance, have gradually but steadily been tipped in favor of the lawless.

Chief Justice Warren went to great lengths in his 61-page decision to belittle the impact which his "safeguards" will have on law enforcement. Blandly he asserted:

The limits we have placed on the interrogation process should not constitute an undue interference with a proper system of law enforcement . . . our decision does not in any way preclude police from carrying out their traditional investigatory functions.

Yet, Mr. President, police interrogation of suspects long has been a traditional investigatory function, and the Court-imposed "safeguards" certainly will preclude police from carrying it out.

The Chief Justice cited the "exemplary record of effective law enforcement" on the part of the Federal Bureau of Investigation which through the years has advised suspects:

At the outset of an interview, that he is not required to make a statement, that any statement may be used against him in court, that the individual may obtain the services of an attorney of his own choice and, more recently, that he has a right to free counsel if he is unable to pay.

He devoted four pages in his decision to outlining the FBI's procedures.

But is there justification for the Chief Justice's assertion that "the practice of the FBI can readily be emulated by State and local enforcement agencies"? He dismissed the argument that the FBI deals with different crimes from those dealt with by State authorities as not mitigating the significance of the FBI experience.

Justice John Harlan, in his dissent, rightly noted:

In spite of the Court's obiter dictum . . . there is some basis for believing that the staple of FBI criminal work differs importantly from much crime within the ken of local police.

Then in a classic understatement, Justice Harlan declared:

The skill and resources of the FBI may also be unusual.

Justice Harlan also pointed out that FBI agents in the past have not been encumbered by the now-required affirmative "waiver" before they could ask questions, nor were they previously prevented from attempting to prevail upon a suspect, who has said he did not want to talk, to change his mind.

To date, I have noted no comment by FBI Director J. Edgar Hoover concerning the most recent Supreme Court decision which further complicates the work of the profession to which he has dedicated his life. But one can gain some insight into his feelings from the following passage from a statement he made in 1960:

We are faced today with one of the most disturbing trends that I have witnessed in my years of law enforcement—an overzealous pity for the criminal and an equivalent disregard for his victim.

The Chief Justice also devoted considerable space to an attempt to show that the British have not suffered from similar safeguards in effect since 1912. Justice Harlan pointed out several significant differences in our newly formed rule of police interrogation and the British judges' rules.

That many British subjects are less than satisfied with their form of criminal justice also is quite evident. An article published in March 1965, in the American Bar Association Journal by Lord Hartley Shawcross, noted British lawyer, is a good example. He wrote that crime in Britain pays because "more and more people get away with it." He declared:

We cling to a sentimental and sporting attitude in dealing with the criminal. We put illusory fears about the impairment of liberty before the promotion of justice. How are our liberties protected by making criminals and suspects a privileged class? The activities of the criminals are a far more serious invasion of our privacy and our liberties than those of the police.

This eminent British lawyer, with years of experience under the judges' rules, has learned his lesson the hard way. He has seen the folly of subordinating the rights of society to the rights of the individual in criminal matters. Thanks to our Chief Justice and his four associates, we must now experience this same folly.

The Chief Justice and his four concurring Associate Justices were not satisfied on June 13 with merely imposing new and severe restrictions on law enforcement. They also took the occasion to malign law enforcement through direct accusation and innuendo in a seemingly gratuitous manner. The Chief Justice quoted numerous excerpts from what he referred to as police manuals and texts to show the sinister trickery police are instructed to use in an effort to induce a confession.

But, as Justice Tom Clark pointed out in his dissent, not one of the so-called police manuals "is shown by the record here to be the official manual of any police department, much less in universal use in crime detection." The manuals quoted, said Justice Clark, are "merely writings in this field by professors and some police officers." Justice Clark also declared:

The police agencies—all the way from municipal and state forces to the federal bureaus—are responsible for law enforcement and public safety in this country. I am proud of their efforts, which in my view are not fairly characterized by the Court's opinion.

To which I say, "Amen."

One of the greatest achievements of American law enforcement has been in preserving, nurturing, and strengthening the proper relationship of the individual to the state.

This Nation emerged on the basic principle that the individual must be protected from the tyranny of the state.

Law enforcement has assumed a front-line role in fighting to preserve and

strengthen the integrity of free government, the dignity of man, the supremacy of law over force—the basic freedoms we hold priceless. The continuing challenge is to define and preserve the proper balance between the rights of the individual and those of society.

This challenge was being met in true democratic fashion. Justice Harlan pointed out in his dissent that there now is a massive reexamination of criminal law enforcement procedures on a scale never before witnessed. Involved in this vital project is a special committee of the American Bar Association, a study group of the American Law Institute, the President's Commission on Law Enforcement, and Administration of Justice, and several other groups equipped to do practical research. Some of the best minds in all fields affected by and relating to law enforcement are involved in this undertaking.

As Justice Harlan asserted, great concern has been expressed that the long-range and lasting reforms being formulated by these careful studies may be frustrated by the Court's too rapid departure from existing constitutional standards. Justice Harlan continued:

> Despite the Court's disclaimer, the practical effect of the decision * * * must inevitably be to handicap seriously sound efforts at reform, not least by removing options necessary to a just compromise of competing interests. Of course, legislative reform is rarely speedy or unanimous, though this Court has been more patient in the past. But the legislative reforms when they came would have the vast advantage of empirical data and comprehensive study, they would allow experimentation and use of solutions not open to the courts, and they would restore the initiative in criminal law reform to those forums where it truly belongs.

Let me underscore the last part of Justice Harlan's comment—the restoration of the initiative in criminal law reform to those forums where it truly belongs. One wonders if the Chief Justice and his associates have not become intoxicated by their recent forays into the field of legislation. Could it be that they viewed the various studies as a threat to their newly asserted power to legislate criminal law rather than rule upon it?

The Chief Justice and his four concurring Associate Justices "encourage Congress and the States to continue their laudable search for increasingly effective ways of protecting the rights of the individual while promoting efficient enforcement of our criminal laws." But they warn at the same time that any congressional or State action must go at least as far as the rules promulgated by the Court.

Justice Byron White in his dissent declared:

> The most basic function of any government is to provide for the security of the individual and of his property. These ends of society are served by the criminal laws which for the most part are aimed at the prevention of crime. Without the reasonably effective performance of the task of preventing private violence and retaliation, it is idle to talk about human dignity and civilized values.

My research indicates that the majority of Americans feel the Court has interpreted the Constitution as a charter of freedom for those who have chosen to ignore the Constitution and all our laws, who have chosen to defy law and order with their every deed, who have chosen to demand and expect every right for themselves while denying any rights to others.

Insuring maximum safety for the innocent sometimes works to provide protection for the criminal. Perhaps that is an unavoidable side effect, but our system of justice should exist not just to exonerate the wrongly accused but also to convict and punish the guilty. Clearing the innocent and convicting the guilty both are important methods for providing protection to the many millions of members of society who think the criminal is a greater threat to their well-being than is the police officer.

Many of our forefathers came from countries where this was not necessarily true. The State and its police were a greater threat to them and their property than the few criminals around. For this reason our Founding Fathers insisted on certain protections against police invasion of privacy and violation of rights. Thank God for them. But let us not interpret them out of all proportion—let us not so impede the work of our law enforcement agencies that they cannot provide the protection we want and need.

Always we hear the cry raised by the proponents of individual rights that we are in danger of a police state. But when the Constitution and Bill of Rights were enacted in the 18th century and interpreted with a much narrower view, we did not have a police state. We did not have a police state 100 years ago, 10 years ago, nor even the day before the Supreme Court made its landmark decision. Nor were we in danger of having one.

This Nation is in the midst of a war on crime—a war which must be won if we are to remain a free people with any rights either for society or the individual. The gravity of the situation can be seen in the fact that crime over the years since 1958 has increased six times faster than our national population growth.

We need all our resources in the fight against crime. We need especially the full services of our law enforcement agencies. These we cannot have now because five men on the Supreme Court have chosen to once again place a hindrance, a needless hindrance, in the path of law enforcement.

No thinking person can contest that the "safeguards" will impede effective law enforcement.

Listen to the words of Justice White's strong dissent:

> The rule . . . will measurably weaken the ability of the criminal law. . . . It is a deliberate calculus to prevent interrogations, to reduce the incidence of confessions and pleas of guilty and to increase the number of trials. . . . There is, in my view, every reason to believe that a good many criminal defendants, who otherwise would have been convicted on what this Court has previously thought to be the most satisfactory kind of evidence, will now, under this new version of the Fifth Amendment, either not be tried at all or acquitted if the State's evidence, minus the confession, is put to the test of litigation. I have no desire whatsoever to share the responsibility for any such impact on the present criminal process.
>
> In some unknown number of cases the Court's rule will return a killer, a rapist or other criminal to the streets and to the environment which produced him, to repeat his crime whenever it pleases him. As a consequence, there will not be a gain, but a loss, in human dignity. The real concern is not the unfortunate consequences of this new decision on the criminal law as an abstract, disembodied series of authoritative proscriptions, but the impact on those who rely on the public authority for protection and who without it can only engage in violent self-help with guns, knives and the help of their neighbors similarly inclined.

And then Justice White made what is perhaps the most pathetic statement contained in the entire 61 pages of the Court's decision and the 49 pages of dissent. He said:

> There is, of course, a saving factor: the next victims are uncertain, unnamed and unrepresented in this case.

Was this not another way of saying that the Court once again was playing Russian roulette with countless Americans who think they have a right to protection from all types of criminals?

One of the cases decided by the Supreme Court in handing down its 5-to-4 decision gives good insight into what impact the new "safeguards" may have on the war against crime. I refer to the case of Ernesto A. Miranda against State of Arizona.

Miranda was arrested 10 days after an 18-year-old girl was kidnaped and forcibly raped near Phoenix, Ariz. Taken to the police station, he was picked out of a lineup by the victim. He then was taken into another room and questioned by two officers. At first he denied his guilt, but after a short time he confessed and provided both a detailed oral and written statement, all of which was completed in less than 2 hours. There was no contention that any force, threats, or promises had been used. The statement he signed contained the wording that the confession was voluntary and made "with full knowledge of my legal rights, understanding any statement I make may be used against me."

The Chief Justice and his four concurring Associate Justices reversed the conviction since Miranda had not been advised of his right to consult with an attorney and since his right not to be compelled to incriminate himself was not effectively protected.

Concerning the decision, Justice Harlan had this to say in dissent:

> One is entitled to feel astonished that the Constitution can be read to produce this result. These confessions were obtained during brief daytime questioning conducted by two officers and unmarked by any of the traditional indicia of coercion. They assured a conviction for a brutal and unsettling crime, for which the police had and quite possibly could obtain little evidence other than the victim's identification, evidence which is frequently unreliable. There was, in sum, a legitimate purpose, no perceptible unfairness, and certainly little risk of injustice in the interrogation. Yet the resulting confessions, and the responsible course of police practice they represent, are to be sacrificed to the Court's own finespun conception of fairness which I seriously doubt is shared by many thinking citizens in this country.

There is another fact which we must now recognize and soon face as a result of the five men's new safeguards. The

safeguards are certain to necessitate much greater expenditures of tax moneys at the Federal, State, and local levels in the fight against crime.

First of all there must be funds to pay the "stationhouse lawyers" requested by suspects—criminals who failed to steal enough to be able to afford their own attorney or who squandered what they took before they were arrested. But then this cost can hardly be charged to the war against crime, for these lawyers will not be at the police station to assist in the search for truth—they will be there to help the suspect beat the rap. As Justice White pointed out in his dissent:

The Court all but admonishes the lawyer to advise the accused to remain silent. . . .

It would almost seem that the Chief Justice and his four concurring Associate Justices feel that a suspect is not capable of exercising his personal right against self-incrimination—he must have an attorney to do it for him. Justice White commented on this point:

Instead of confining itself to protection of the right against compelled self-incrimination the Court has created a limited Fifth Amendment right to counsel—or, as the Court expresses it, a "right to counsel to protect the Fifth Amendment privilege. . . ." The focus then is not on the will of the accused but on the will of counsel and how much influence he can have on the accused. Obviously, there is no warrant in the Fifth Amendment for this installing counsel as the arbiter of the privilege.

Another obvious expense which will result from the safeguards will stem from the need for more and better law enforcement officers. To get them is going to require better pay than is now being provided our police in many areas. And they are going to have to be provided better and more extensive training to enable them to cope with all the red-tape imposed on them by the Chief Justice and his four concurring Associate Justices.

On June 16, I sent a telegram to Police Chief John B. Layton, Washington Metropolitan Police Department, asking him to comment on the effect which the U.S. Supreme Court ruling would have on law enforcement in the District of Columbia. He answered as follows:

The effect of this ruling, as I see it, will be to further reduce the opportunity for obtaining an admissible confession or admission after an arrest of a defendant has been effected or his freedom of movement curtailed by the police. This decision moves the protection against self-incrimination of an individual back to an earlier time than we have previously understood it. That is the privilege against self-incrimination and right to counsel is invoked not just at the trial stage, but as soon as the defendant is taken in custody, that is at the earliest stage of custody procedures.

It would appear, therefore, that the only statements or admissions that would be admissible under this opinion would be those made outside of a custody situation or those where it can be clearly shown that the defendant made, not only, a voluntary but a "knowing" and "intelligent" waiver of his right to counsel.

In the same telegram, I asked Chief Layton if the ruling would make more difficult the work of the Police Department and, if so, why. He answered thusly:

In my judgment, the enforcement efforts of the Police Department will be made considerably more difficult. Many criminal acts are perpetrated in a manner calculated by the offender to prevent later identification. Without fairly conclusive evidence, identifying a particular offender with an offense, the questioning process, using whatever evidence had been developed to substantiate the probable cause requirement for arrest, has been an important procedure in developing additional evidence in the nature of admissions or confessions or statements, intended to be exculpatory which through investigation, might be broken down and ultimately substantiate the defendant's guilt.

Of necessity, more reliance will have to be placed on other individuals who may be witnesses to some aspects of an offense and it is remembered in this connection that many citizens already are reluctant to become involved as witnesses in Court cases. It is generally recognized that an Attorney's advice to a criminal defendant, originally, will be not to talk to the police. A defendant who would make admissions of a criminal offense in the face of such a warning, would be under strong personal compulsion to speak out. It would also seem natural that the criminal element in our society would become even more arrogant in any contact they will have with the police.

In answer to my question as to whether the ruling would "just about eliminate the use of confessions," Chief Layton answered by saying:

The answer is yes. There would be very little opportunity, as I see it, to obtain a confession which would be ruled admissible under this Supreme Court opinion, especially if given after arrest.

I asked Chief Layton whether or not, as a result of the ruling, he foresaw an accelerated increase in crime in the Nation's Capital, to which question he responded in the following manner:

I would not predict an accelerated increase, but I would not be surprised to observe some increase in crime. Those defendants charged with crime and particularly the recidivist will be aware that he is afforded advice of counsel at an earlier stage than has been true prior to this opinion. And the scales are now balanced somewhat more in his favor.

While there are many factors causing crime, I can't help but note that the crime rate has been continuing an upward trend during a period where the exclusionary rules have been given more effect in the trial of criminal cases.

Mr. President, it certainly is regrettable that the Supreme Court, through a bare majority of its members, has become obsessed with this overemphasis of individual rights as against the rights of society. Our Nation and countless of its innocent citizens will undoubtedly suffer as a result, and, fearfully, the situation as to crime, in this country, will continue to grow worse. I hope that our Nation's highest tribunal will eventually experience a change of direction in dealing with criminals, and that public-spirited citizens everywhere will rally to the support of police departments throughout the land and speak out, at every opportunity, in behalf of obedience to law.

To quote a former Justice of the U.S. Supreme Court:

Lawlessness, if not checked, is the precursor of anarchy. (Frankfurter)

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a paper prepared by the Library of Congress which shows the period of service, in terms of prior judicial experience, of the U.S. Supreme Court Justices from 1789 through 1966.

The PRESIDING OFFICER (Mr. BREWSTER in the chair). Without objection, it is so ordered.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

*U.S. Supreme Court Justices, 1789–1966—Period of service and prior judicial experience*

| Chief justice | Date of commission | Commencement of service | Service terminated | Appointed by— | Prior judicial experience |
|---|---|---|---|---|---|
| John Jay | Sept. 26, 1789 | Feb. 2, 1790 | June 29, 1795 | Washington | Chief justice of New York (Colonial), 1776–79.[1] |
| John Rutledge | July 1, 1795 | Aug. 12, 1795 | Dec. 15, 1875 | do | Chancery Court of South Carolina, 1784–89; Supreme Court of South Carolina, 1791–94; Associate Justice of U.S. Supreme Court, 1789–91. |
| Oliver Ellsworth | Mar. 4, 1796 | Mar. 8, 1796 | Dec. 15, 1800 | do | Supreme Court of Errors of Connecticut (Colonial); Superior Court of Connecticut (Colonial), 1781–85. |
| John Marshall | Jan. 31, 1801 | Feb. 4, 1801 | July 6, 1835 | John Adams | None.[2] |
| Roger Brooke Taney | Mar. 15, 1836 | Mar. 28, 1836 | Oct. 12, 1864 | Jackson | Do. |
| Salmon Portland Chase | Dec. 6, 1864 | Dec. 15, 1864 | May 7, 1873 | Lincoln | Do. |
| Morrison Remick Waite | Jan. 21, 1874 | Mar. 4, 1874 | Mar. 23, 1888 | Grant | Do. |
| Melville Weston Fuller | July 20, 1888 | Oct. 8, 1888 | July 4, 1910 | Cleveland | Do. |
| Edward Douglass White | Dec. 19, 1910 | Dec. 12, 1910 | May 19, 1921 | Taft | Associate Justice of Supreme Court of Louisiana, 1878–80; Associate Justice of U.S. Supreme Court, 1894–1910. |
| William Howard Taft | June 30, 1921 | July 11, 1921 | Feb. 3, 1930 | Harding | Judge of Superior Court, Cincinnati, 1887–92; U.S. Court of Appeals, 6th Circuit, 1892–1900. |
| Charles Evans Hughes | Feb. 13, 1930 | Feb. 24, 1930 | June 30, 1941 | Hoover | Associate Justice of U.S. Supreme Court, 1910–16. |
| Harlan Fiske Stone | July 3, 1941 | July 3, 1941 | Apr. 22, 1946 | F. Roosevelt | Associate Justice of U.S. Supreme Court, 1925–41. |
| Frederick Moore Vinson | June 21, 1946 | June 24, 1946 | Sept. 8, 1953 | Truman | U.S. Court of Appeals for District of Columbia, 1939–43. |
| Earl Warren | Oct. 2, 1953 | Oct. 5, 1953 | [3] | Eisenhower | None. |
| John Rutledge | Sept. 26, 1789 | Feb. 15, 1790 | Mar. 5, 1791 | Washington | Chancery Court of South Carolina (Colonial), 1784–89. |
| William Cushing | Sept. 27, 1789 | Feb. 2, 1790 | Sept. 13, 1810 | do | Superior Court of Massachusetts (Colonial), 1772–74 Massachusetts General Court, 1774–75; Massachusetts Supreme Court, 1775–89. |
| James Wilson | Sept. 29, 1789 | Oct. 5, 1789 | Aug. 21, 1798 | do | None. |

See footnotes at end of table.

*U.S. Supreme Court Justices, 1789–1966—Period of service and prior judicial experience*—Continued

| Chief justice | Date of commission | Commencement of service | Service terminated | Appointed by— | Prior judicial experience |
|---|---|---|---|---|---|
| John Blair | Sept. 30, 1789 | Feb. 2, 1790 | Jan. 27, 1796 | Washington | General Court of Virginia (Colonial), 1778–80; High Court of Chancery of Virginia (Colonial), 1780; Court of Appeals of Virginia, 1780–89. |
| James Iredell | Feb. 10, 1790 | May 13, 1790 | do | do | North Carolina Superior Court, 1777–78. |
| Thomas Johnson | Nov. 7, 1791 | Aug. 6, 1792 | Feb. 1, 1793 | do | Court of Maryland, 1790–91. |
| William Patterson | Mar. 4, 1793 | Mar. 11, 1793 | Sept. 9, 1806 | do | None. |
| Samuel Chase | Jan. 27, 1796 | Feb. 4, 1796 | June 19, 1811 | do | Criminal Court of Baltimore, 1788–91; General Court of Maryland, 1791–96. |
| Bushrod Washington | Dec. 20, 1798 | Feb. 4, 1799 | Nov. 26, 1829 | do | None. |
| Alfred Moore | Dec. 10, 1799 | Aug. 9, 1800 | Jan. 26, 1804 | John Adams | Superior Court of North Carolina, 1798–99. |
| William Johnson | Mar. 26, 1804 | May 7, 1804 | Aug. 4, 1834 | Jefferson | Court of Common Pleas of South Carolina, 1798–1804. |
| Henry Brockholst Livingston | Nov. 10, 1806 | Jan. 20, 1807 | Mar. 18, 1823 | do | Supreme Court of New York, 1802–06. |
| Thomas Todd | Mar. 3, 1807 | May 4, 1807 | Feb. 7, 1826 | do | Court of Appeals of Kentucky, 1801–07. |
| Joseph Story | Nov. 18, 1811 | Feb. 3, 1812 | Sept. 10, 1845 | Madison | None. |
| Gabriel Duvall | do | Nov. 23, 1811 | Jan. 14, 1835 | do | Do. |
| Smith Thompson | Dec. 9, 1823 | Sept. 1, 1823 | Dec. 18, 1843 | Monroe | Supreme Court of New York 1802–19. |
| Robert Trimble | May 9, 1826 | June 16, 1826 | Aug. 25, 1828 | J. Q. Adams | Court of Appeals of Kentucky, 1807–09; U.S. District Court, Kentucky, 1818–26. |
| John McLean | Mar. 7, 1829 | Jan. 11, 1830 | Apr. 4, 1861 | Jackson | Supreme Court of Ohio, 1816–22. |
| Henry Baldwin | Jan. 6, 1830 | Jan. 18, 1830 | Apr. 21, 1844 | do | None. |
| James Moore Wayne | Jan. 9, 1835 | Jan. 14, 1835 | July 5, 1867 | do | Superior Court of Georgia, 1924–29. |
| Philip Pendleton Barbour | Mar. 15, 1836 | May 12, 1836 | Feb. 25, 1841 | do | General Court of Virginia, 1825–27; U.S. District Court of Virginia, Eastern District, 1830–36. |
| John Catron | Mar. 8, 1837 | May 1, 1837 | May 30, 1865 | Van Buren | Tennessee Supreme Court of Errors and Appeals, 1824–34. |
| John McKinley | Sept. 25, 1837 | Jan. 9, 1838 | July 19, 1852 | do | None. |
| Peter Vivian Daniel | Mar. 3, 1841 | Jan. 10, 1842 | May 31, 1860 | do | U.S. District Court of Virginia, 1836–41. |
| Samuel Nelson | Feb. 13, 1845 | Feb. 27, 1845 | Nov. 28, 1872 | Tyler | Circuit Court of New York, 1823–31; Supreme Court of New York, 1831–45. |
| Levi Woodbury | Sept. 20, 1845 | Sept. 23, 1845 | Sept. 4, 1851 | Polk | Superior Court of New Hampshire, 1817–23. |
| Robert Cooper | Aug. 4, 1846 | Aug. 10, 1846 | Jan. 31, 1870 | do | District Court of Allegheny County, Pa., 1833–46. |
| Benjamin Robbins Curtis | Dec. 20, 1851 | Oct. 10, 1851 | Sept. 30, 1857 | Fillmore | None. |
| John Archibald Campbell | Mar. 22, 1853 | Apr. 11, 1853 | Apr. 30, 1861 | Pierce | Do. |
| Nathan Clifford | Jan. 12, 1858 | Jan. 21, 1858 | July 25, 1881 | Buchanan | Do. |
| Noah Haynes Swayne | Jan. 24, 1862 | Jan. 27, 1862 | Jan. 24, 1881 | Lincoln | Do. |
| Samuel Freeman Miller | July 16, 1862 | July 21, 1862 | Oct. 13, 1890 | do | Justice of peace, Bourbonville, Ky., 1840's. |
| David Davis | Dec. 8, 1862 | Dec. 10, 1862 | Mar. 4, 1877 | do | 8th Judicial Circuit in Illinois, 1848–62. |
| Stephen Johnson Field | Mar. 10, 1863 | May 20, 1863 | Dec. 1, 1897 | do | Supreme Court of California, 1857–63. |
| William Strong | Feb. 18, 1870 | Mar. 14, 1870 | Dec. 14, 1880 | Grant | Supreme Court of Pennsylvania, 1857–68. |
| Joseph P. Bradley | Mar. 21, 1870 | Mar. 23, 1870 | Jan. 22, 1892 | do | None. |
| Ward Hunt | Dec. 11, 1872 | Jan. 9, 1873 | Jan. 27, 1882 | do | New York Court of Appeals, 1865–73. |
| John Marshall Harlan | Nov. 29, 1877 | Dec. 10, 1877 | Oct. 14, 1911 | Hayes | County Court, Franklin County, Ky., 1858–59. |
| William Burnham Woods | Dec. 21, 1880 | Jan. 5, 1881 | May 14, 1887 | do | Middle Chancery Division, Alabama, 1868–69; U.S. Court of Appeals, 5th Circuit, 1869–80. |
| Stanley Matthews | May 12, 1881 | May 17, 1881 | Mar. 22, 1889 | Garfield | Court of Common Pleas, Hamilton County, Ohio, 1851–53; Superior Court of Cincinnati, 1863–65. |
| Horace Gray | Dec. 20, 1881 | Jan. 9, 1882 | Sept. 15, 1902 | Arthur | Supreme Judicial Court of Massachusetts, 1864–82. |
| Samuel Blatchford | Mar. 22, 1882 | Apr. 3, 1882 | July 7, 1893 | do | U.S. District Court of New York, Southern District, 1867–78; U.S. Court of Appeals, 2d Circuit, 1878–82. |
| Lucius Quintus C. Lamar | Jan. 16, 1888 | Jan. 18, 1888 | Jan. 23, 1893 | Cleveland | None. |
| David Josiah Brewer | Dec. 18, 1889 | Jan. 6, 1890 | Mar. 28, 1910 | Harrison | Probate and criminal courts, Leavenworth County, Kans., 1862–65; Kansas District Court, 1865–69; Supreme Court of Kansas, 1870–84; U.S. Court of Appeals, 8th Circuit, 1884–90. |
| Henry Billings Brown | Dec. 29, 1890 | Jan. 5, 1891 | May 28, 1906 | do | Circuit Court, Wayne County, Mich., 1868, U.S. District Court, Eastern District of Michigan, 1875–90. |
| George Shiras, Jr | July 26, 1892 | Oct. 10, 1892 | Feb. 23, 1903 | do | None. |
| Howell Edmunds Jackson | Feb. 18, 1893 | Mar. 4, 1893 | Aug. 8, 1895 | do | U.S. Court of Appeals, 6th Circuit, 1886–93. |
| Edward Douglas White | Feb. 19, 1894 | Mar. 12, 1894 | Dec. 18, 1910 | Cleveland | Supreme Court of Louisiana, 1878–80. |
| Rufus Wheeler Peckman | Dec. 9, 1895 | Jan. 6, 1896 | Oct. 24, 1909 | do | Supreme Court of New York, 1883–86; Court of Appeals of New York, 1886–96. |
| Joseph McKenna | Jan. 21, 1898 | Jan. 26, 1898 | Jan. 5, 1925 | McKinley | U.S. Court of Appeals, 9th Circuit, 1892–97. |
| Oliver Wendell Holmes | Dec. 4, 1902 | Dec. 8, 1902 | Jan. 12, 1932 | T. Roosevelt | Supreme Judicial Court of Massachusetts, 1882–1902. |
| William Rufus Day | Feb. 23, 1903 | Mar. 2, 1903 | Nov. 13, 1922 | do | Court of Common Pleas, Ohio, 1886–90; U.S. Court of Appeals, 6th Circuit, 1899–1903. |
| William Henry Moody | Dec. 12, 1906 | Dec. 17, 1906 | Nov. 20, 1910 | do | None. |
| Horace Harmon Lurton | Dec. 20, 1909 | Jan. 3, 1910 | July 12, 1914 | Taft | Chancellor, 6th Division, Tennessee, 1875–93; U.S. Court of Appeals, 6th Circuit, 1893–1910. |
| Charles Evans Hughes | May 2, 1910 | Oct. 10, 1910 | June 10, 1916 | do | None. |
| Willis Van Devanter | Dec. 16, 1910 | Jan. 3, 1911 | June 2, 1937 | do | Supreme Court of Wyoming, 1889–90; U.S. Court of Appeals, 8th Circuit, 1903–10. |
| Joseph Rucker Lamar | Dec. 17, 1910 | do | Jan. 2, 1916 | do | Supreme Court of Georgia, 1906–08. |
| Mahlon Pitney | Mar. 13, 1912 | Mar. 18, 1912 | Dec. 31, 1922 | do | Supreme Court of New Jersey, 1901–08; chancellor of New Jersey, 1908–12. |
| James Clark McReynolds | Aug. 29, 1914 | Oct. 12, 1914 | Jan. 31, 1941 | Wilson | None. |
| Louis Dembitz Brandeis | June 1, 1916 | June 5, 1916 | Feb. 13, 1939 | do | Do. |
| John Hessin Clarke | July 24, 1916 | Oct. 9, 1916 | Sept. 18, 1922 | do | U.S. District Court, Northern District of Ohio, 1914–16. |
| George Sutherland | Sept. 5, 1922 | Oct. 2, 1922 | Jan. 17, 1938 | Harding | None. |
| Pierce Butler | Dec. 21, 1922 | Jan. 2, 1923 | Nov. 16, 1939 | do | Do. |
| Edward Terry Sanford | Jan. 29, 1923 | Feb. 19, 1923 | Mar. 8, 1930 | do | U.S. District Court, Eastern and Middle District, Tennessee, 1908–23. |
| Harlan Fiske Stone | Feb. 5, 1925 | Mar. 2, 1925 | July 2, 1941 | Coolidge | None. |
| Owen Josephus Roberts | May 20, 1930 | June 2, 1930 | July 31, 1945 | Hoover | Do. |
| Benjamin Nathan Cardozo | Mar. 2, 1932 | Mar. 16, 1932 | July 9, 1938 | do | Supreme Court of New York, 1914–17; New York Court of Appeals, 1917–32. |
| Hugo Lafayette Black | Aug. 18, 1937 | Aug. 19, 1937 | [3] | F. Roosevelt | Police judge, Burmingham, 1910–11. |
| Stanley Forman Reed | Jan. 27, 1938 | Jan. 31, 1938 | Feb. 25, 1957 | do | None. |
| Felix Frankfurter | Jan. 20, 1939 | Jan. 30, 1939 | Aug. 28, 1962 | do | Do. |
| William Orville Douglas | Apr. 15, 1939 | Apr. 17, 1939 | [3] | do | Do. |
| Frank Murphy | Jan. 18, 1940 | Feb. 5, 1940 | July 19, 1949 | do | Recorder's Court, Detroit, 1923–1930. |
| James Francis Byrnes | June 25, 1941 | July 8, 1941 | Oct. 3, 1942 | do | None. |
| Robert Houghwout Jackson | July 11, 1941 | July 11, 1941 | Oct. 9, 1954 | do | Do. |
| Wiley Blount Rutledge | Feb. 11, 1943 | Feb. 15, 1943 | Sept. 10, 1949 | do | U.S. Court of Appeals for District of Columbia, 1939–43. |
| Harold Hitz Burton | Sept. 22, 1945 | Oct. 1, 1945 | Oct. 13, 1958 | Truman | None. |
| Thomas Campbell Clark | Aug. 19, 1949 | Aug. 24, 1949 | [3] | do | Do. |
| Sherman Minton | Oct. 5, 1949 | Oct. 12, 1949 | Oct. 15, 1956 | do | U.S. Court of Appeals, 7th Circuit, 1941–49. |
| John Marshall Harlan | Mar. 17, 1955 | Mar. 28, 1955 | [3] | Eisenhower | U.S. Court of Appeals, 2d Circuit, 1954–55. |
| William Joseph Brennan, Jr | Oct. 15, 1956 | Oct. 16, 1956 | [3] | do | New Jersey Superior Court, 1949–51; Appellate Division of New Jersey Superior Court, 1951–52; Associate Justice of New Jersey Supreme Court, 1952–56. |
| Charles Evans Whitaker | Mar. 22, 1957 | Mar. 25, 1957 | Apr. 1, 1962 | do | U.S. District Court, Western District of Missouri, 1954–56; U.S. Court of Appeals, 8th Circuit, 1956–57. |
| Potter Stewart | Oct. 14, 1958 | Oct. 14, 1958 | [3] | do | U.S. Court of Appeals, 6th Circuit, 1954–58. |
| Byron R. White | Apr. 11, 1962 | Apr. 16, 1962 | [3] | Kennedy | None. |
| Arthur J. Goldberg | Sept. 25, 1962 | Oct. 1, 1962 | July 20, 1965 | do | Do. |
| Abe Fortas | Aug. 11, 1965 | Oct. 4, 1965 | [3] | L. B. Johnson | Do. |

[1] The dates indicated represent the years in which service commenced and terminated. No attempt is made to indicate months and days.

[2] "None" indicates that an examination of generally recognized research sources failed to disclose any judicial service.

[3] Present.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a transcript of a briefing on Ernesto Miranda versus the State of Arizona, by Mr. David G. Bress, U.S. Attorney for the District of Columbia, on June 21, 1966, and issued to the police department of the District of Columbia in the form of a memorandum dated July 15, 1966.

This memorandum will indicate the extent to which the police departments of the country will be straitjacketed by the U.S. Supreme Court's ruling of June 13, 1966.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

GOVERNMENT OF THE DISTRICT OF COLUMBIA, METROPOLITAN POLICE DEPARTMENT,

*July 15, 1966.*

MEMORANDUM

Subject: Transcript of Briefing on Ernesto Mirando vs the State of Arizona by Mr. David G. Bress, U.S. Attorney for District of Columbia on June 21, 1966.

To the Force:

Deputy Chief Lawrence A. Hartnett, Chief of Detectives, introduced Mr. David G. Bress, United States Attorney for the District of Columbia, and the subject matter, the recent decision handed down by the Supreme Court.

Mr. Bress, Chief Hartnett, Chief Layton, Members of the Police Department, as all of you know, last Monday, June 13, 1966, the Supreme Court handed down its decision in the *Miranda* case. The essence of that decision is that the privilege which the individual has against self-incrimination is jeopardized by custodial interrogation. We had not had that principle before. We had always understood that admissions and confessions were admissible in evidence if they were voluntary. This new decision injects into the law as we previously understood it, the principle that the privilege against self-incrimination does not begin at the trial where a person may not be compelled to testify against himself, but it actually begins at its earliest stage—when arrest occurs.

There has been an inkling of a move in this direction for many years. All of you know the requirement for early presentment of an arrested person before the United States Commissioner or a Committing Magistrate in General Sessions Court. Why was that necessary under Rule 5 (a) of the Federal Rules of Criminal Procedure? The reason why that was necessary was because it was felt that the privilege against self-incrimination that an arrested person had was sufficiently strong to warrant some judicial warning to him about his rights, so that he would be aware of the effect of what he might say.

There had not been any prior decision that held that the privilege against self-incrimination began at such an early stage, that is to say, at the arrest stage.

Now without going into a detailed explanation of the *Miranda* case, I'm going to give you what I think is the essence of the case and how I believe practically it should affect your work in the questioning of arrested persons or non-arrested persons.

The *Miranda* opinion, different from so many Supreme Court opinions, sets guide lines. It is a clear opinion in many ways and I think each of you should read the entire opinion. I'm sure the Department will make copies available to you. You don't have to be a lawyer to really fully understand it. It is written in very clear terms and sets up the guidelines to govern your work.

Now, you will recall that in August, 1965, the Police Department order, I think, 9–B, gave you specific instructions about what kind of warning to give to an arrested person, before he was questioned. You were told to tell him, in substance, that he was under arrest; that he had the right to remain silent; and that anything he said might be held against him. You also advised him that he had the right to consult with a lawyer; that he had a right to talk to any member of his family or a friend; and that if he did not have a lawyer, one would be provided for him when he first went to court. (This latter instruction meant that one would be provided for him under the Criminal Justice Act, when he appeared before the Committing Magistrate, that is, either the Commissioner or a Judge of the General Sessions Court.) Now, we continued under that order up to the present time. There was a proposal by me in the latter part of May of this year for some modification of that, but, as far as Police Department Orders are concerned, that is the order that continued up to the present time and it included the so-called 3-hour rule. Now the 3-hour rule is no longer valid under the *Miranda* case and you will see the reason for this shortly.

The necessity in all cases of early presentation before the Committing Magistrate is now also somewhat relaxed. The type of warning that has been given in the past by law enforcement officers is not adequate under the *Miranda* case. Under the *Miranda* case I have prepared what I consider to be an appropriate warning, the exact language of which I am not yet wedded to. I will probably try and simplify it for more effective use. That warning now should state as follows:

(1) *You have been placed under arrest. You are not required to say anything to us at any time or to answer any questions. Anything you say can be used against you in court.*

So far so good, that is not different from your prior warning.

The second part is also similar to the prior warning:

(2) *You may call a lawyer or a relative or a friend and they may come here to speak with you. A phone will be made available to you for that purpose.*

That, too, is consistent.

Now, beginning with the third and fourth—there are only four paragraphs to this warning—we have the essence of the case, and I will then go about explaining it. I think it is better to give it to you in this highlight first.

(3) *You have the right to consult with a lawyer before we ask you any questions and to have such lawyer present with you during such questioning. You may retain a lawyer if you are financially able to do so. If you cannot afford to hire a lawyer, one will be furnished to you if you so desire,* and that is before questioning, not as in the prior case, when you go to court.

(4) *If you fully understand these rights which you have, but, nevertheless, of your own free will desire to answer questions about the matter under investigation, without the presence of a lawyer, you may waive such rights and answer the questions.* If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

While this sounds like a heavy burden it may be productive of a few statements. That, in essence, is what *Miranda* requires, and *Miranda* is the law.

In order to insure that each officer has knowledge of this warning, it is my recommendation that it be permanently printed on some card or plastic and carried by each officer. The warning should be appropriately posted in all precincts and other places where interrogations generally occur. These steps if followed will tend to insure that arrested persons are properly warned, so that their statements when made will be more readily admitted into evidence by our courts.

I have, therefore, developed about eight rules of conduct for the police in order for them to conform to the requirements of the *Miranda* case. I have given you so far the outline of a warning, now let me tell you what I think you must do, and why you must do it, in order to satisfy this new approach.

The case is perfectly clear that if a person is not under arrest and is not deprived of his freedom of action in any way (I'll explain that) no warning need be given and questions may be freely asked. This would include volunteers, that is, those that confess, or give incriminating statements, without being asked any questions. Therefore, the *Miranda* Rule has no relationship to people who are not under arrest. Accordingly, one conclusion to draw from the case is that in the course of your investigation you may interrogate suspects before you detain a person or place him under arrest. What you learn will be admitted in evidence and it is not impaired by this decision. I said if he is not under arrest. There are also a few additional little words in there—the alternative is if he is not deprived of his freedom of action in any way. You may not have expressly stated to the suspect that he is under arrest and therefore think you have the right to interrogate him freely. You do not. If by your conduct you would lead him, probably him, possibly a reasonable person, to believe that he can get up and go at will, the law is such a person is not under arrest. If his freedom of action is limited in any way the law will treat him as though he were under arrest. Therefore, for example, if one of your officers wants to interview a man at his apartment or his home and you knock on the door and state who you are, indicate your purpose, ask if you may come in and talk and he invites you in, you can go in and talk to him to your heart's content and whatever he says to you can be used, provided that by your conduct or your expressions you lead him to believe that his freedom of action is in no way being restrained. But if you walk into that same apartment with four or five officers with drawn guns and you don't say a thing about his being under arrest, but you start asking questions, the rules and warnings of *Miranda* apply. So that the first principal we get from this case, the first guideline is, there is no prohibition on questioning if the man is not under arrest or he is not being detained. I also say this principle applies equally to volunteers.

The court draws the distinction, as I'm sure you can readily understand, between a voluntary statement and the statement of a volunteer. A voluntary statement is one that presumedly is made by the exercise of free will. It can be made in response to questions. Such a statement is always subject to challenge as to whether it was or was not voluntary; whether the overall circumstances surrounding the making of that statement were coercive or not. Whereas, a statement of a volunteer is a verbal communication by a person who calls on the phone and says, "I just shot my wife." Or, he comes into the precinct and says, "I just did something terrible—I want to tell you about it." Those are the statements of a volunteer and the fewer questions asked the better; but such statements are not inhibited by the opinion.

The next principal is that, if a person is arrested or is detained without actual arrest, he may not be asked any questions without first being warned, that is the full warning, and this applies equally to questioning at the scene, in the cruiser, and at the precinct. I know this is tough. This is a new rule.

If you are investigating at the scene and you do not have a person under arrest or if a particular person is not detained, the court says everyone at the scene knows it is his

duty to cooperate. If you are involved in a situation where there is no legal justification for the confinement of a person, then interrogation at the scene without the warning would be perfectly proper. Therefore, this highlights the importance of interrogation without arrests. But, if there is an arrest or detention, no questioning can be undertaken until the full warning is given and the wishes of the suspect complied with. Even after you have given the warning, if the person arrested or detained, either refuses to state whether he wants a lawyer or not, or, instead of refusing to state whether or not he wants a lawyer, in the alternative, he may expressly state that he does want a lawyer, in either case, of his silence or his express statement that he does want a lawyer, he has not waived his right to counsel and he may not be questioned. If, however, he states he wants a lawyer present, then it is incumbent upon the police to give him the opportunity to call his own lawyer, (which can't be done at the scene), then there can be no questioning in such a case until you get to the precinct—or if he has no lawyer, and this is the particularly new point, the police must make one available to him before questioning can begin. In such circumstances therefore, where he expressly states that he wants a lawyer, the questioning must be deferred until the lawyer arrives. It is expected that the local bar association will provide a telephone number to the police to be used by them to obtain a lawyer only in those circumstances where there is the request for a lawyer.

If the program bogs down, so that the bar doesn't answer the challenge of making lawyers available then under *Miranda*, if the man is silent and doesn't say whether he wants a lawyer or not, or if he expressly says he does not want to talk until he sees a lawyer, unfortunately, in these circumstances *Miranda* requires that there be no questioning.

Now, if a lawyer responds, either a retained lawyer, or a bar association furnished lawyer, this is the next logical step—what happens then? The arrested person should be afforded the opportunity to confer in private with that lawyer. After the conference between the lawyer and his new client, questioning may proceed in the presence of the lawyer—if the arrested person is then willing to answer questions. The lawyer may leave and may tell him that he may talk. The odds are certainly strong that the lawyer will generally advise him to say nothing, so that when the lawyer arrives and instructs him that there is to be no questioning that is the end of questioning. This again highlights those cases where it is possible—the need for questioning pre-arrest. Where the suspect declines to be interrogated, and the lawyer goes on his business, then the individual should be presented before a Committing Magistrate or to the Commissioner. The need for speed without unnecessary delay should be complied with, although there is really no penalty which results because there is no admission to be excluded. Nevertheless, it is a rule and a statute (Rule 5(a)), and reasonably prompt presentment should take place.

During any questioning in the presence of his lawyer, the lawyer may consult with the client (and this is a new principle but logically fits in here) and, if at any time during the questioning the arrested person says that he doesn't want to answer any more questions, you have got to stop. If his lawyer terminates the questioning at any point, even if he consented to it in the first place, questioning must thereafter stop. You can go back again and say do you want to resume? And, if they consent to resume, resumption of interrogation can take place. But even here there is no effective waiver in law by virtue of a person answering some questions that such person thereby waives the right to remain silent as to any remaining questions. The *Miranda* case clearly says that termination of questioning may take place at any time at the election of the arrested person. Needless to say, a detailed record of questions and answers should be maintained together with appropriate notations of any objections which the lawyer present may interpose to certain questions, so that you can turn over to the United States Attorney's Office as full and clear a picture as is possible of what took place during the interrogation process. Thus far we've considered what happens where he is silent and where he says he wants a lawyer—no questions. If he says he wants a lawyer, he gets the lawyer, and questioning then may be done only with the approval of the lawyer and it can be terminated at any point at the request of the lawyer or the person under arrest.

Now, we haven't obtained many statements up to this point. After the warning is given, under this decision, interrogation in the absence of the lawyer is proper where the arrested person has waived his rights under the warning. That is, every one of the rights, including the waiver of his right to remain silent, as well as his right to the presence of a lawyer. In the past, waiver has been found from the failure to ask for a lawyer in other jurisdictions. The case we now have expressly holds that waiver cannot be inferred from silence or from the failure to ask for a lawyer.

We now come to what I believe is the most important part of the whole case as far as you are concerned. The waiver that I mentioned a moment ago is only valid if it is expressed, it cannot be implied; there must be an express waiver, it may be oral, it may be written. Now what constitutes the waiver? The court says that a waiver is valid, that is a waiver of the rights under this warning, (waiver to the right of counsel, waiver of the privilege against self-incrimination.) The waiver is valid only if it is voluntarily, knowingly and intelligently given. These three words—voluntarily, knowingly and intelligently—I wouldn't have too much trouble about the "voluntary" part, "knowingly" gives me some concern, "intelligently" creates a real problem.

Whenever there is any interrogation in the absence of a lawyer, the government has, as the Supreme Court has said in this case, "A heavy burden" to demonstrate at the trial that a defendant voluntarily, knowingly and intelligently waived his privilege against self-incrimination and his right to a retained or appointed counsel. Therefore, while you gentlemen may get any statement you want under a waiver, we, in the United States Attorney's Office, before such statement is offered in evidence have the burden to affirmatively make a showing that the defendant voluntarily, knowingly and intelligently waived those rights.

I said a moment ago that this waiver may be oral or written. Of course, the written waiver is preferable and I have prepared a form of written waiver, if voluntarily signed, and knowingly signed, and signed with intelligence, then no problem will arise. But you can see how, depending upon the circumstances of the case, even though the written waiver is obtained, that the government will have to carry a real heavy burden in getting an admission in evidence with a waiver.

As an alternative to getting a written waiver signed by the person who is now about to talk in the absence of his lawyer, it is equally satisfactory if the essence of the warning and the waiver is summarized in the signed statement of facts executed by the arrested person, provided that the summary clearly shows that the oral waiver was given before questioning began and provided further that it also shows that the waiver remained in effect without being revoked during the entire interrogative process.

Remember, I said in connection with the illustration of what happens when the lawyer is present and you are asking questions, that questioning may be terminated at any point. That same right is not dependent upon whether there is or is not a lawyer present. The right to terminate questioning of a suspect by law enforcement officers at any point is even stronger when there is no lawyer present.

Significantly, however, nothing that you obtained in questioning is valid unless the warning has been given before the questioning began. Further, even though you can show the warning before and the waiver before, the rest of the statement may be invalid unless you also foreclose the possibility that the person under arrest may have terminated the questioning after the second question. He may have said, for example, after the second question, "I don't want to say anymore." Therefore, we do have a heavy burden, not only to show that the waiver was given before questioning began, and that it was voluntarily, knowingly and intelligently given, but that it continued unrevoked throughout the process of the entire statement.

In lieu of a separate document to be called a waiver, it is adequate for our purposes if, in the summary of your statement of facts, the essence is included in the signed statement—but it is not enough to say that "I waive my rights," you have to spell out exactly what the rights are. It is not enough to say that "the warning was given before the questioning began," because the questioning may have been terminated as far as the suspect is concerned before the statement was concluded. Therefore, those several possibilities must be covered in the statement.

Another principle which may affect you that is to be drawn from the teaching, in this case, is that the questioning should not be lengthy in the absence of the lawyer. Even with an express waiver, even in writing, the court has stated that lengthy interrogation before a statement is made is "strong evidence" that the waiver is invalid. The court does not tell us what is short nor what is long, but it does state that if you interrogate for a long time that is an indication that the waiver is invalid.

The Supreme Court has said that "An express statement that the individual is willing to make a statement and does not want an attorney followed closely by a statement could constitute a waiver." That is as close as the Supreme Court gets to the subject of the possible existence of an implied waiver. The implied as distinguished from the express waiver is as follows: The express waiver exists where the man says, "I know what my rights are, you have read me the warning, I understand about the privilege of self-incrimination, I understand about the right to counsel, I don't care about that, I waive the rights and I want to make a statement. I am willing to make a statement." That is an express waiver and that is valid whether it is oral or written. The implied waiver exists according to the Supreme Court where the person under arrest or in custody indicates that he is willing to make a statement (it doesn't use words of waiver)—he's willing to make a statement, and he does not want a lawyer; when that is followed by a statement closely in point of time, that could amount to an implied waiver.

Another lesson from this case is to be drawn not from *Miranda* but from *Westover*. You know we call it the *Miranda* case, but there were three state cases decided at the same time and one federal case. The federal case is known as the *Westover* case and *Westover* involved local police who had Westover under interrogation in Kansas City. I believe Westover was in local custody for fourteen hours and had been interrogated at length during that period, before the F.B.I.

had arrived. The question was what the effect of the fourteen hour period of confinement and interrogation by Kansas City Police—not related to the California bank robbery that the F.B.I. was interested in. The court found the atmosphere was coercive, as a result of fourteen hours interrogation or confinement by local police which carried over to in fact the F.B.I. interrogation which only lasted two hours. I called this principal from the *Westover* position of the *Miranda* combine of cases to tell you the following: That when a prisoner is taken by the District of Columbia Police from another jurisdiction where he has been subjected to questioning, it is recommended that the D.C interrogation following warning should not begin until the prisoner has been moved both *in time and in place* from his former surroundings.

Had the F.B.I. taken Westover from the Kansas City Police and moved him to St. Louis or to Los Angeles, what he said to the F.B.I. would have been admitted in that case under the prior rule.

What has happened to *Mallory* requirements, I know many of you must be concerned. As to those cases where the lawyer is present during interrogation, *Mallory* is of little or decreasing significance, because first there is no "unnecessary delay" involved inasmuch as you waited for the defendant to have his own lawyer present and the protection which *Mallory* was calculated to give to protect him in his rights by the presence of a magistrate, a judicial officer has now been given in effect by the presence of his own attorney. Therefore, the speed of presentation before the committing magistrate seems to be unnecessary any longer. Yet it is on the books, you will find it as a rule, so that when that process is over in ordinary course he should be taken before the committing magistrate but no admission in my opinion will hereafter be excluded because of any delay in presentment on *Mallory* grounds. However, with respect to statements obtained without the presence of a lawyer under the so-called express waiver or the implied waiver which I just mentioned, presentment, early presentment to the committing magistrate under *Mallory* is still required.

Gentlemen that is all I have to report to you on *Miranda* at this time.

The following questions were asked of Mr. Bress by various members of the Department present at this talk:

Question: You stated that if we have a man under arrest, he desires a lawyer and he does not have the money to hire one, is it incumbent on us to supply the lawyer?

Answer: It's incumbent on you to supply him with a lawyer unless you want to forgo taking a statement.

Question: We want to get a statement. It's 2:30 tomorrow morning that this happens, the man wants a lawyer, what do we do?

Answer: That's a new problem. What I think you will do is that the Bar Association will have to maintain, I hope, a panel of lawyers available around the clock and that the police may have the burden, and it may be a heavy burden, to contact that panel to see that a lawyer is sent in order for you to be able to question. If he has made the request, there must be a lawyer present or your questions will amount to nothing. As a subsidiary point to your question, I think there is involved the question as to what happens to the Mallory requirement of presentment to the committing magistrate without "unnecessary" delay in such a situation, and my opinion is, and I think I'm right, that since the delay is caused by his own request for a lawyer, that the delay is not "unnecessary".

Question: Should an arrested subject ask for counsel and after conferring with counsel, he is advised by counsel in the presence of the arresting officer not to make any statement or answer any questions, this arrested subject, despite this legal advice, and still in the presence of counsel, insists on giving a statement, what should the arresting officer do in this case?

Answer: If he insists on doing it in the presence of counsel, I certainly wouldn't turn it down. I would take it and hope that it might come in as a spontaneous statement. Remember, I stated initially that statements of volunteers, spontaneous statements, without interrogation, are admissible. If you don't ask the man any questions and he says he wants to tell you what happened and he tells you, without any questions, I think this is spontaneous and we would have no trouble getting it into evidence under the Miranda case.

Question: The problem there is still we have to prove the voluntariness of this statement?

Answer: Whether he knowingly, and intelligently made the statement voluntariness is not as great a problem as being able to show that the man, under the circumstances made the statement after his lawyer told him not to, was acting intelligently and knowingly.

Question: You have a prisoner, he signs a waiver. You ask some three or four questions. Among these questions, he may reveal where he hid the weapon or other evidence. And then all of a sudden he refuses to answer any other questions. On the basis of what he has already answered voluntarily and signed a waiver, you make application with an affidavit for a search warrant. I am wondering how this will affect your affidavit or if you would be able to admit this in Court as evidence?

Answer: Based on your hypothetical question, Captain, so far, what he had said up to the time that he said he wouldn't answer any more questions, it is entirely valid and admissible. It may be the basis for an application for a search warrant. It is also admissible in evidence as an incriminating admission.

Question: Before he is arrested, talking with him and he admits to you that he had, perhaps, committed a homicide, at what point are we required to arrest him? He gives you the whole story before you make the arrest?

Answer: You should, by all means, not arrest too soon. As a matter of fact, if you should move to arrest, then you are merely foreclosing yourself from getting further information. So, I think you have answered the question yourself.

Question: Well, how long is long?

Answer: Long enough, but not too long.

Question: You are in the process of executing a search warrant for narcotics, and upon arrival at the address and admittance has been gained, you notice three subjects in the room and upon a table are narcotics. You know that the narcotics belong to one of the subjects. Do you advise them of their rights, etc., before you ask the question, "To whom do these narcotics belong?" Would we be wrong in asking the question first?

Answer: I think the preliminary question should be: "What happened here? What's this all about? Who does this belong to?" Not addressed to any particular individual. It's not part of a series of questions. It's a matter of getting a better orientation and part of a general investigation. I don't think that type of questioning is prohibited.

Question: Mr. Bress, I had quite a few questions, but you have answered most of them, sir. We had a case in the Fourth Precinct just the other morning, in which we had a robber, a holdup. The suspects were captured by Captain Farran and citizens. They had been warned by one of my men on the scene at the time, of their constitutional rights under this ruling; to have the lawyer, remain silent, etc.; that they didn't have to say anything. Now, my question is this. While at the station giving instructions to these men and while the two individuals were being booked, the complainant was asked what time the offense had occurred. He looked at his wrist and he said, "they took my watch, too. I don't have my watch. I don't know." With that I walked over to the Station Clerk where the subjects were being booked for the arrest. I asked the Station Clerk if these men had a watch on them. He said, yes, they both had a watch. I said, "would you let me see them or let the complainant see them?" With that, one of the defendants spoke up and said, "ask him what kind of watch it is, because I don't want to be blamed for something I didn't do." He said, "I didn't want to hurt anybody. I just wanted the money. I even tied the man up loosely." Now, saying he makes this admission and I did not advise him of his constitutional rights because I wasn't addressing myself to him; I was addressing myself to the Station Clerk. And say we didn't need this confession as evidence in the trial, would your office submit the statement as evidence?

Answer: Did you say you did or did not need it?

Question: Did not need it. Would you use this statement or not?

Answer: If the Assistant felt the way I do about it, he would use it, because I would characterize that as a spontaneous statement, not the result of interrogation. It's a statement of a volunteer. You didn't put any questions to him. It wasn't in the course of interrogation. However, if the Assistant were wiser than I, and was interested in protecting his record on appeal and felt that he had a strong enough case without it, he might not use it.

Question: I understand. My question was directed with reference to a possible future interpretation of the law which we can look forward to. I'm anxious to see if that fell into the category of advising continuously during confinement of the individual.

Answer: They say sometimes that the law is "a ass", but that is not true in Miranda. I don't think that this teaching requires the constant rote repetition of a warning under such circumstances.

Question: Now, one other thing. You did speak on the three-hour rule that we had been working under, and just for clarification, we know that all of this is out—with reference to interrogation—but the Court did say when an individual is in custody on probable cause, the police may, of course, seek out evidence in the field to be used in the trial against them. Such investigation may include inquiry of persons not under restraint, generally on-the-scene questions, so forth.

Answer: Yes.

Question: I just brought that up, Mr. Bress, with the reference that there is no great hurry in arraigning this individual immediately or forthwith; that they do give us a limited time to complete an outside investigation free of interrogation of the person held.

Answer: Oh, yes. The force and effect of Mallory exists where no lawyer appears, and even though Rule 5(a) must be complied with, I think the force and effect of it has been diminished considerably now by Miranda.

Question: I think this Supreme Court ruling clears up what we asked for. We asked for a clear ruling on the subject of interrogation. I think we have it. Now, one other question, just for clarification. It is my interpretation an indigent, according to the court ruling, is any person who says, "I can't afford a lawyer."

Answer: No. That is not correct. The mere fact that a man says he's indigent and can't afford a lawyer does not necessarily mean that the court will accept him as an indigent. In most instances, when he says

he is, he generally is. But according to the UPO, The Neighborhood Legal Services Program, so-called Poverty Program, the standard of indigency is $55.00 a week for a single person, plus $15.00 for each dependent. If a man earns more than that, or family earnings are more than that, they are not indigent. A man earning $55.00 a week and a wife earning $25.00 a week, are not indigent. They are not entitled to free legal advice.

Question: We have knowledge that an individual who says that he can't afford a lawyer and wants us to appoint one is making $150.00 a week, where does that put us in the interrogation angle?

Answer: I haven't considered this before. I know that we had considered it in NLSP and just denied service, but I think that for police purposes that if he says he can't afford a lawyer, you have got to assume that is true. What difference can you draw from his stating that he can't afford one when he can afford one, and the case where he says he can afford one but doesn't know one? He, in effect, is stating that "I want a lawyer." You can't interrogate him until a lawyer is present.

Question: One other question I would like a clarification on—I think I understand, but let's say that we have an individual in custody. He's been advised of his rights as set up by the Supreme Court. He has with him his lawyer. He's been told that he doesn't have to make a statement. He goes on saying certain incriminating things or makes incriminating statements.

Answer: In response to questions?

Question: In response to questions. And then he invokes after this continuous warning as the court holds must be given to him, he finally says, "I don't want to say anything else. I am going to remain silent." Then the interrogation is cut off. I think you said then the burden becomes upon the prosecutor to show that this was done timely, knowingly and intelligently. I wonder if we would be in a position to use what he did say that was incriminating?

Answer: I answered that in a prior question. Up to the point where he speaks that "I don't desire to answer anymore questions," everything that he said up to that point is valid and admissible. Anything that he says thereafter is not. It's presumed coercive unless you get from him an expression of a willingness to resume giving answers.

Question: After a defendant has had a preliminary hearing, has had the advice of counsel, has been told by his attorney to say nothing about the case, if he is interviewed while being held at the D.C. Jail and he decides to disregard the advice of his lawyer and makes a voluntary statement, what would be the effect of this ruling?

Answer: It can't be done now, couldn't be done even before Miranda. Under the decision in Queens vs U.S. in 118 U.S. App. D.C., where a lady was charged with a felony and at the preliminary hearing, the case was continued for her to obtain counsel, as she was entitled to under the criminal justice act, on the continued date when the preliminary hearing was to be held, the police officer went over to her and had a little conversation with her and she made some incriminating statements. Those statements were admitted in the trial and she was convicted. On appeal, the Court of Appeals held that those statements should not have been admitted on the grounds that her appearance at the preliminary hearing was for the purpose of having counsel appointed, and counsel not yet having been appointed, any interrogation was prohibited because it frustrated her right to counsel. It was in violation of her right to counsel. If counsel had been appointed, then it would also have been bad because of the Massiah and Escobedo cases. I think that answers your question, does it not, even before Miranda? Certainly it would be true now. You look as though you are not satisfied.

Question: No. A previous question, you said that he could disregard the advice of his counsel?

Answer. Yes. But when he disregards, he had already had the benefit of the advice of the lawyer and then has made a statement which I said might be a statement of a volunteer. Now, if he says his lawyer says I don't want you saying anything and he says I understand your advice, but I still want to make a statement, I still want to answer the question that these policemen want to put to me, I think you can still do that. The best kind of statement is one obtained in the presence of counsel.

Question: You say that we can talk to a person voluntarily of his own free will and accord and any questions that this man answers under this voluntary conversation is not considered under arrest, but yet I can cite cases under the Court of Appeals where a man has talked voluntarily to the police on the street, in the stations, in his own home and subsequently the Court of Appeals had ruled that the man was detained by the police and that there is not such a thing as voluntarily being detained by the police. And consequently, any information that was drawn from this conversation was used against him in trial without the presence of a lawyer there to advise him of his rights, when the conversation began.

Answer: I am familiar with those cases.

Question: Now, where do we stand if we talk to a man on the street and from the information that we gather from this conversation, we subsequently piece it together and make our case?

Answer: You stand precisely as I have indicated. That if he is being detained to the point that his freedom of action is limited—those are the very words of the Supreme Court—freedom of action not being limited in any way. Now, in each of the cases that you referred to, if they had gone as far as the Court of Appeals said that the circumstances operated upon the mind of the arrested persons in these cases—that is, made him feel that he was under detention and he didn't have the freedom to move about freely, those would still be treated as arrests. Now, there may be such cases arising in the future where you do not intend to detain, but a Court may say that you did detain. This man was frightened into thinking that he couldn't leave if he wanted to. That is still the test. If he is not arrested, nor is his freedom of action limited in anyway, whatever he says to you is outside the scope of Miranda.

Question: Sir, I think the Courts later on may rule that the primary mission of my conversation with this man was because he was a prime suspect and even though he had freedom of movement, freedom of limitation, the only reason I spoke to him was the fact that he was a suspect.

Answer: I think the Supreme Court takes cognizance of the fact that investigation by police is still to be continued and is very essential and they think that people should cooperate in answering questions to the police. I think there may come a day where you don't think that you have detained a person, but a Court may well hold that you did detain. I'm sure that we have that possibility and therefore, the purpose of this discussion is to alert you to the fact that you should make a conscious effort to see to it that the circumstances in pre-arrest questioning do not, in any way, impair the freedom of action of the man you are talking to. Tell him, "you can go." "You don't have to talk to me. You can go if you want to. You are not under arrest; I don't intend to detain you in any way, but I do have some questions." Now, it may be you are focusing on him as your prime suspect, but the focusing on him and his feelings of detention are two separate matters.

Question: I have one question. It pertains to the line-up sheet. How far can we go with the line-up sheet? Do we have to advise him? Do we have to wait for his lawyer before we start making the line-up sheet? There are quite a few questions we ask the individual in the line-up sheet.

Answer: Relating to the particular incident?

Question: No. To the person himself. You ask the person several questions; his name, address, age and try to get some background information from that individual. Has he been in the service? Family, prior record, quite a bit on the back and front of that line-up sheet. Now, how far can we go?

Answer: I confess to a lack of sufficient experience with the line-up sheets to be able to answer that question with confidence. I have seen them but I have not had occasion personally to use them. My impression is that if this is merely a background history of the individual involved, and does not relate to any effort to seek an admission or incriminating statement from him concerning the crime under investigation, then there is nothing objectionable about it. You can still pursue it to your heart's content.

Question: When a suspect leaves this jurisdiction and is arrested in New York and we forward a U.S. Commissioner's arrest warrant, by a United States Marshal, to New York, you don't want him interrogated in custody in New York? The next time we see him is in the District Jail. That would be the only time that we would be able to interview him would be at the District Jail. Is that right?

Answer: If he has not been subjected to intensive interrogation in the place of arrest, I don't think that the impediment of Westover would apply. If he's just been picked up on a warrant, from the District of Columbia in New York, you can go there and start questioning him right away, provided you have given him all the warnings. If I am understanding your question correctly.

Question: Well, say that he is arrested at 3:00 in the morning. It may be an hour or two hours before they notify us and it takes us, maybe, another three hours to get to New York or where he is. Well, that's five hours that he is in custody in New York. Would they say that he is in custody too long and that we can't talk to him there?

Answer: What was he doing during that five hours? Was he under interrogation in New York? If he was just being held in New York pending your arrival, I don't think that that is a Westover type of situation. But if he were arrested in New York—for example—on a housebreaking there, and they worked on him for a number of hours—well, Westover had fourteen hours and I don't have a crystal ball to put the right line time limit; but if they worked on him for a number of hours on one investigation and then you went to the same place and started interrogating him on another investigation, I think you would have a Westover situation. You ought to change the time and place for your questioning.

Question: Regarding juveniles, sixteen to eighteen years of age, that fall into the waiver category in Juvenile Court after we have advised them of their rights. Are we going to be able to use their confession in Court?

Answer: There are a number of cases that cross my mind that have recently been decided, that affect trials of juveniles waived to District Court and to what extent the statements made by them are admissible in evidence. The answer is that voluntary statements are not usable against them if they are made before waiver—under the Harling case. How, under Miranda, state-

ments after waiver may also not be used—except when made in the presence of counsel—and that seems very unlikely. There is also the real danger of exclusion, as fruits of the poisonous tree, of evidence obtained from leads procured from pre-waiver statements.

Chief Layton: Mr. Bress, one other item that I would like to have you give some further consideration to, would be a queston that was raised; that is how long can our people talk with an individual who is a suspect prior to arrest, and I'm sure that this is a hard question. But it is also a hard decision for a police officer or a detective to make out on the street in a situation where he has sufficient probable cause to justify an arrest and yet he feels that by discussing the facts in the case he may get some additional evidence that would help to assure a conviction when the case gets to Court. As I say, this is a hard question for a police officer to make out on the street, if we leave it to him and say that he should talk to the suspect long enough, but not too long. Now, I don't know what definitive answer you might be able to make on further reflection, but I would hope that you might give that some further thought.

Mr. Bress: That might be a hard decision for you, Chief, but it's an even harder one for me; because my answer would indicate that there is a time limit and that if you fully exercise that time, the Court will say that the time was too long. I have no limit. All I can say is that the shorter the time, the safer it is. The longer the time, you impair safety by extending it. If there is no arrest and no detention, there is nothing in the case that indicates that there is any time limit at all. When there is no detention, but the longer you interrogate, I think the greater likelihood there is, particularly if you are focusing on that suspect, for an inference to be drawn that he was being detained or at least he would make it appear at a trial, months later, that he felt that he was being detained because you held him up so long. I would think that nothing more specific than that can be given.

Chief Layton: On the question of the telephone number, do you have any indication of when or what the prospects are of getting the phone number from the Bar Association for making calls at night?

Mr. Bress: No, sir, I have no indication as of this moment when they will make it available. Now, while I have all you gentlemen in one place, there is one other problem that has been disturbing me. And that is the matter of free press and fair trial. I am concerned and I know you must be with the problem that arises from pre-trial publicity. Particularly when some well publicized cases or exciting cases are coming up for trial; and a lot of information gets into the press that furnishes the basis for the defendant asking for a change of venue or postponements of trial; no good comes from unnecessary information being given to the press. The press is entitled to know everything that takes place in the Courtroom. The press is entitled to know certain things, within certain limits, that a man is arrested, what he is arrested for, what were the circumstances surrounding the arrest and so forth. They are not entitled to know—they are not even supposed to be told—what his criminal record is. The press should not be told that a man makes a confession. Those matters are likely to be disputed at a trial. So I would request that there be self-restraint exercised in releasing anything to the press, other than the basic data of time and place of arrest, the nature of the charge, identification of the man, period. Nothing about the gruesome details of the offense.

Question: I would like to say one thing. The police get blamed for a lot of this detailed information, Mr. Bress, when this information comes from another source.

Answer: I'm not blaming anybody.

Question: No, but I'm sure that you realize that the press is something to deal with. Number (1)—they call up the individuals involved; the individuals pose for them; (2)—they make statements on the type and size of the gun that was used. I couldn't agree more with you in your thinking; don't misunderstand me, but I would like to clear this up. We try to stick to the basic facts, but we find it almost an impossibility because of the other ingredients in the situation, such as the people involved. So, I agree that we should keep out these statements that give all detailed information, such as the caliber of gun we might be looking for, knife or any of the things that would be admissible as evidence in the Court. But we have another problem, I'm sure, you are aware of. We don't give all the information out. Most of this information that you are talking about comes from the persons involved. You see their pictures in the newspapers, on television, etc. I would like to ask this question too, while I'm here. Often times we are asked for photographs of the individuals, who are arrested and that judgment as to whether or not we release the picture is based on many things, but I read in the papers just recently where even if you showed the I.D. picture without the number on it, the Courts were considering this an invasion of the suspected person's rights. I wonder if you would say whether we should release these pictures or not.

Answer: Of a man under arrest?

Question: Yes, sir.

Answer: Well, I don't think that unless there is a question of identification involved in the case——

Question: Well, there is always a question of identification in a robbery, under any circumstances.

Answer: Well, then I would—if that is a picture of the man who is under arrest—that is not your statement. This is the man who actually committed the offense. This is the man you charged?

Question: Yes, sir.

Answer: We try to exercise self-restraint in the prosecutor's office and we are under limitations on what statements we can make. You will frequently see no comment in connection with any case that is pending trial. No comment about anything that occurs or who appears before a Grand Jury. For example, we are permitted under the rules of the Department of Justice to release only the following information. Now this doesn't necessarily bind you, but I think the philosophy should be the same; the defendant's name, age, residence, employment, marital status and similar background information. That's all right. The substance or text of the charge such as the complainant, indictment or information. The identity of the investigating and arresting agencies and the length of the investigation. The circumstances immediately surrounding an arrest including the time and place of arrest, resistance, pursuit, possession and use of weapons in connection with arrest and the description of the items seized at the time of arrest. That is as far as we can go. Now, these are the things that I think, in your own common sense, should be the limit of what is released. Observations about a defendant's character, statements, admissions, confessions or alibis attributed to a defendant should not be made. Reference to investigative procedures such as fingerprints, polygraph examinations, ballistic tests or laboratory test should not be made. Statements concerning the identity or credibility or testimony of prospective witnesses and statements concerning evidence or argument in the case should not be made. Those are the things that are verboten-prohibited.

Question: They are all fine words and we like that, but the 251 is a public record. Also, the arrest book is public record by law. Now, we have somewhat of a problem there, I think, because the 251 Form gives a detailed report of the offense of any arrest made, etc.

Answer: I think if it is a public record, the press has access to it. Thank you, Gentlemen. It has been a pleasure to be here before you.

Deputy Chief Hartnett: Well men, as Mr. Bress has told you, this is now the law, and we will have to adjust and we will have to comply with it. I know, and you know, we will have problems accompanying this adjustment. There will be Department Orders issued later.

Now, I urge you that if you have any problems to consult with your Precinct Supervisor or Squad Leaders, so they can present them to us and we, in turn, can present any particular problems to the District Attorney's Office for possible answer.

I doubt if I could inspire you with the equivalent of a half-time pep talk such as Knute Rockne used to give to his Notre Dame teams, but nevertheless, I sincerely say, don't get discouraged, but get out there and do the same good job that you have been doing all along.

Do you have anything else, Chief Layton?

Chief Layton: Nothing else.

Mr. Bress: Chief, I would like to say one thing. In my seven months as the United States' Attorney, my relationship to the Department has been excellent. My contact with the Chief has been wonderful. The work that I have seen your men do in the course of the past seven months has been inspiring. I compliment each one of them for the fine job. I don't think there is a better Police Department in the United States—but we must strive to make it even better.

By direction of the Chief of Police:

JOHN S. HUGHES,
*Deputy Chief of Police, Acting Executive Officer.*

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a general order which was issued to the Metropolitan Police of the District of Columbia by the Deputy Chief of Police, John S. Hughes, on July 16, 1966, the subject of which deals with the questioning of arrested persons.

There being no objection, the general order was ordered to be printed in the RECORD, as follows:

GOVERNMENT OF THE DISTRICT OF COLUMBIA, METROPOLITAN POLICE DEPARTMENT,

*July 16, 1966.*

[General Order No. 9–C, Series 1964]

Subject: Questioning of Arrested Persons.

*To the Force:*

Under date of June 13, 1966, the Supreme Court of the United States delivered an opinion in the case of Ernesto A. Miranda vs The State of Arizona.

In the cited opinion "Custodial Interrogation" is defined as: "Questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his freedom of action in any significant way."

The Constitutional issue decided is the admissibility of statements obtained from a defendant questioned while in custody and deprived of his freedom of action.

The opinion states that the prosecution may not use statements stemming from custodial interrogation of the defendant unless it demonstrates the use of procedural safeguards effective to secure the privilege against self-incrimination.

To assure the proper procedural safeguards are employed the following measures are required.

Prior to any questioning, the person must be warned that:

A. He has a right to remain silent.

B. Any statement he does make may be used as evidence against him.

C. That he has the right to presence of an attorney whether retained or assigned.

* * * * *

QUESTIONING OF ARRESTED PERSONS

In accordance with the law now defined in the opinion of the Supreme Court of the United States and recommendations of the United States Attorney, members of the Force are directed that:

To comply with the provisions of the law the arrested person shall be clearly warned in the following terms:

You are under arrest. Before we ask you any questions, you must understand what your rights are.

You have the right to remain silent. You are not required to say anything to us at any time or to answer any questions. Anything you say can be used against you in court.

You have the right to talk to a lawyer for advice before we question you and to have him with you during questioning.

If you cannot afford a lawyer and want one, a lawyer will be provided for you.

If you want to answer questions now without a lawyer present you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

If necessary, this warning will then be given in writing or explained in language which the arrested person can readily understand. If the arrested person is incapable of understanding any warning, by reason of alcohol, drugs, injury or other reason, the warnings may be postponed until the arrested person is capable of understanding the warning and questions put to him.

Officers should remember that the critical point is the time the arrest is made or the person's freedom of action is limited, for it is then that the person must be fully advised of his rights.

If a person is not under arrest and is not deprived of his freedom of action in any way, no warning need be given and questions may be freely asked.

Information obtained by interrogation before arrest is admissable and not impaired by this opinion.

When conducting investigations, officers shall attempt to develop and complete in every detail possible the accumulation of evidence against the suspect prior to making the arrest.

Whether under arrest or not, spontaneous statements made by an individual, not in response to questions, are admissable in evidence. Accurate notes should be made of such statements.

Unsolicited or volunteered statements of persons who appear at police stations, or call in by telephone and state they have committed a crime, are not barred or affected by this opinion.

If the defendant indicates in any manner and at any stage of the process that he wishes to consult with an attorney before speaking there can be no questioning.

If the defendant is alone and indicates in any manner that he does not wish to be interrogated, the police may not question him.

The fact that he may have answered some questions or volunteered some statements on his own does not deprive him of the right to refrain from answering any further inquiries until he has consulted with an attorney, and thereafter consents to be questioned.

If the accused decides to talk to his interrogators, he is still entitled to do so with the assistance of counsel.

The accused must be clearly informed that he has the right to consult with a lawyer and to have the lawyer with him during interrogation. This right does not depend on the accused making the request.

If the accused states that he wants an attorney, the interrogation must cease until an attorney is present. At that time the individual must have an opportunity to confer with the attorney and to have him present during any subsequent questioning.

If the individual cannot obtain an attorney and he indicates that he wants one before speaking to police, they must respect his decision to remain silent.

A defendant may waive these rights, provided the waiver is made voluntarily, knowingly, and intelligently. This necessarily will require proof that the defendant did completely understand and freely waive his rights.

Waiver of rights by an arrested person, whether oral or written, shall be witnessed by other officers, but preferably, by other civilian witnesses already involved, or otherwise willing to do so.

Questioning should not be lengthy in the absence of a lawyer. Even with an express waiver, the Court has stated that lengthy interrogation before a statement is made is evidence that the waiver is invalid.

Whenever an express waiver is given and a statement obtained without a lawyer, prompt presentment before the United States Commissioner or the District of Columbia Court of General Sessions, as required by Rule 5(a) of the Federal Rules of Criminal Procedure, is still necessary.

The Supreme Court opinion states that an "express statement that the individual is willing to make a statement and does not want an attorney followed closely by a statement could constitute a waiver."

In order to fully apprise a person interrogated of the extent of his rights, it is necessary to warn him not only that he has the right to consult with an attorney, but, also, if he is indigent, that a lawyer will be provided to represent him before questioning. If he states he wants a lawyer present, it is then incumbent upon the police to give him the opportunity to contact his own lawyer or, if he has none, to make one available to him through one of the volunteer legal agencies.

In so doing, the arresting officer shall place the call to the agency, notify the person answering, of the name of the arrested person, the place of detention and the offense charged. A written record of the date, time, and the person so notified shall be kept as a part of the case history.

If a lawyer requested by the arrested person comes to the precinct station or Headquarters, the arrested person shall be afforded every reasonable opportunity for confidential consultation consistent with safeguards against escape or the commission of an unlawful act. If no lawyer appears, and if a relative or friend requested by the arrested person comes to the precinct station or Headquarters, it is advisable that one such person be permitted to talk for a reasonable time with the arrested person, though officers, in their discretion, may admit others.

Communication and access to an arrested person by a person other than a lawyer may be denied or postponed where there is a reason to believe that it is sought for the purpose of destroying evidence, concealing stolen property, intimidating witnesses, warning an accomplice, or arming or facilitating escape by the arested person. If such communication or access is denied, a record shall be made stating the reason.

In accordance with provisions of Chapter VI, Sections 8, 9 and 10 of the Manual, every possible effort shall be made to communicate with the person or persons whom the arrested person wishes to notify of his arrest, including use of the telephone. A record shall be made of any request of an arrested person to communicate with another person. If there is no request, the officer shall so note.

After the accused person has conferred with counsel, and it is felt that interrogation is necessary or likely to be productive, the officer shall repeat the warning of rights previously given to the accused, while counsel is present and then proceed with the interrogation unless or until terminated by the arrested person. Close attention should be given by the interrogator to the questions asked and the answers volunteered so that a concise and accurate résumé can be made of the statement. When possible, and with the agreement of the accused and his counsel, this statement should be reduced to writing and offered to the accused for his signature, if time permits and it would not otherwise cause "unnecessary delay" of arraignment.

Although speed of arraignment is of less importance now, if a lawyer is present during interrogation, it still must be considered.

When a person wanted by this Department is arrested in another jurisdiction and has been subjected to questioning by others, whenever possible, interrogation by members of this Department, after advising of rights, should not begin until the prisoner has been moved in time and place from his former surroundings.

Nothing herein prohibits questioning for information necessary for the booking and processing of a prisoner through the Identification Bureau.

Accompanying this order is a "Warning and Consent" form which shall be executed whenever an arrested person indicates willingness to waive his rights and make a statement. This includes a "consent to speak" portion whereby an arrested person may indicate that he desires to waive his rights and that he fully understands what he is doing. He shall be given this form to read, or if unable to read the form it shall be read to him, after which he shall be allowed to sign the "consent to speak" portion thereof. The remainder of the form shall be completed and then signed by the officer and the witnesses. Other officers may be used as witnesses; however, it is preferable to utilize other than police personnel as witnesses, if available.

A copy of this General Order, with attachment, shall be distributed to each member of the Force in accordance with the procedure outlined in General Order No. 12, Series 1958.

By direction of the Chief of Police:

JOHN S. HUGHES,
*Deputy Chief of Police, Acting Executive Officer.*

Order rescinded: General Order No. 9–B, Series 1964.

Mr. BYRD of West Virginia. Mr. President, I have here a "Warning and Consent" form which has been distributed to the members of the Police Department of the District of Columbia by the Deputy Chief of Police. This is a form which shall be executed whenever an arrested person indicates willingness to waive his rights and make a statement.

The form reads as follows:

WARNINGS AND CONSENT—WARNING AS TO YOUR RIGHTS

You are under arrest. Before we ask you any questions, you must understand what your rights are.

You have the right to remain silent. You are not required to say anything to us at any time or to answer any questions. Anything you say can be used against you in court.

You have the right to talk to a lawyer for advice before we question you and to have him with you during questioning.

If you cannot afford a lawyer and want one, a lawyer will be provided for you.

If you want to answer questions now, without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

The suspect is then supposed to add his signature to the form. His signature will indicate that he understands his rights in this matter and that he desires to waive his rights.

That portion of the form reads as follows:

CONSENT TO SPEAK

I know what my rights are. I am willing to make a statement and answer questions. I do not want a lawyer. I understand and know what I am doing. No promises or threats have been made to me or used against me.

---
Signature

Date and time ---
Statement was read by Defendant ---
Statement was read to Defendant ---
Signature of Officer ---
Witnesses: ---
---

This form is to be signed by the arrested person and also by the officers and by witnesses.

I hope that Senators will read this form and the general order issued by the Metropolitan Police Department, as a result of the Supreme Court's June 13 rulings, that they may fully understand the difficult burden which now has been added to those already carried by policemen in their efforts to secure evidence leading to the conviction of persons who have committed crimes.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. LAUSCHE. What is the source of this statement just read by the Senator from West Virginia—"Warning and Consent," "Warning As to Your Rights," and then "Consent to Speak," and finally the signature of the accused or the suspect?

Mr. BYRD of West Virginia. The source is the Metropolitan Police Department of the District of Columbia.

Mr. LAUSCHE. Is that what they are doing now?

Mr. BYRD of West Virginia. That is what is being done.

At first, I presented for the RECORD a transcript of a briefing by the U.S. Attorney for the District of Columbia, Mr. David G. Bress. This was a briefing to the chief and to the members of the police department, and the briefing took place on June 21, which was 8 days after the Court decision on June 13.

This briefing was then put in the form of a memorandum and distributed to the police department personnel.

The next day, on July 16, the General Order No. 9–C was distributed to the members of the police force of the District of Columbia, and this had to do with the questioning of arrested persons.

Accompanying the general order was the form which is to be signed by suspects and by arresting policemen. Policemen are to carry this form with them; and if the suspect is willing to sign the statement, showing that he knowingly, willingly, and intelligently waives his rights, the suspect is to sign, and the arresting policeman is also to sign in the presence of witnesses.

Mr. LAUSCHE. Am I correct in my understanding that prior to this Supreme Court decision, the information imparted to a suspect dealt primarily with the information that he had a right to answer questions or not to answer them, that whatever he said would be used against him in court, but that now the following statement has been added to that general procedure:

You have the right to talk to a lawyer for advice before we question you and to have him with you during questioning.

If you cannot afford a lawyer and want one, a lawyer will be provided for you.

If you want to answer questions now, without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

Is that the substance of it?

Mr. BYRD of West Virginia. Mr. President, in answer to the distinguished senior Senator from Ohio, I shall read from the transcript of the briefing by Mr. David G. Bress. This is what he said at that time:

Under the *Miranda* case I have prepared what I consider to be an appropriate warning, the exact language of which I am not yet wedded to. I will probably try and simplify it for more effective use. That warning now should state as follows:

(1) *You have been placed under arrest. You are not required to say anything to us at any time or to answer any questions. Anything you say can be used against you in court.*

So far so good, that is not different from your prior warning.

Prior to the Miranda case.

Mr. LAUSCHE. I was on the bench for 10 years, and that is the warning that was usually given.

Mr. BYRD of West Virginia. Yes.

To proceed, he said:

The second part is also similar to the prior warning:

(2) *You may call a lawyer or a relative or a friend and they may come here to speak with you. A phone will be made available to you for that purpose.*

That, too, is consistent.

Now, beginning with the third and fourth—there are only four paragraphs to this warning—we have the essence of the case, and I will then go about explaining it. I think it is better to give it to you in this highlight first.

(3) *You have the right to consult with a lawyer before we ask you any questions and to have such lawyer present with you during such questioning. You may retain a lawyer if you are financially able to do so. If you cannot afford to hire a lawyer, one will be furnished to you if you so desire,* and that is before questioning, not as in the prior case, when you go to court.

(4) *If you fully understand these rights which you have, but, nevertheless, of your own free will desire to answer questions about the matter under investigation, without the presence of a lawyer, you may waive such rights and answer the questions.* If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

That, in essence, is what the Miranda case requires, and the Miranda case is the law.

Does that answer the question of the Senator from Ohio?

Mr. LAUSCHE. That answers the question clearly.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD the following articles: an editorial from the July 28, 1966, edition of the Huntington, W. Va., Advertiser; an article from the June 15, 1966, edition of the Columbus Dispatch, Columbus, Ohio; an editorial from the June 15, 1966, edition of the Columbus, Dispatch, Columbus, Ohio; an editorial from the June 14, 1966, edition of the Chicago, Ill., Tribune; an editorial from the June 15, 1966, edition of the New York Daily News; a column by David Lawrence from the June 15, 1966, edition of the Washington Evening Star; an editorial from the June 15, 1966, edition of the Washington Evening Star; and a column by Richard Wilson which appeared in the June 17, 1966, edition of the Washington Evening Star.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

LENIENCY FOR OFFENDERS IS ENCOURAGEMENT TO VIOLENCE

The effects of leniency in dealing with criminals was made clear in the official report of the Federal Bureau of Investigation, released today, reviewing the 6-percent increase in violent crimes during 1965.

In connection with the report Attorney General Nicholas deB. Katzenbach disclosed that crimes such as murder, robbery, burglary and aggravated assault during the year numbered more than two and three-quarters million.

The FBI record of 135,000 known offenders revealed that three of every four had a prior arrest. The entire group had an average criminal career of more than 10 years during which they averaged five arrests.

Forty-eight percent had been arrested in two or more states, and over half had benefited from leniency in the form of parole, probation, conditional release or suspended sentence.

After the first leniency the group averaged more than three arrests.

FBI records also exposed the extent to which repeaters contribute continuously to the national crime problem. A record of over 6,900 offenders who were released between January and June, 1963, after having been charged, showed that 48 percent were arrested for new crimes within two years.

Fifty-nine percent of the burglars, 70 percent of the auto thieves and 64 percent of the robbers repeated during that time.

How the United States Supreme Court and other tribunals can justify their recent trend of finding new unprecedented technicalities for releasing criminals in the face of these statistics is beyond the comprehension of the people that suffer from increasing violence.

The 46-percent increase in serious crimes just since 1960 should certainly cause some effort to apply the only known remedy—swift, certain and adequate punishment.

The trend of the times, however, is not only to show leniency to criminals but to create the impression that law-enforcement officers are a bunch of sadistic characters who get their kicks from brutalizing offenders.

The restrictions that the Supreme Court has thrown up to protect criminals from police questioning can open the way for almost sure acquittal from any crime.

If, for instance, Richard Speck, the man charged with the mass murder of eight Chicago student nurses, would ignore the advice of his attorney and insist on confessing despite constitutional rights recently set up by the Supreme Court, he would certainly make a good case for a plea of insanity.

The only apparent way out of this absurd situation for law enforcement is a constitutional amendment imposing reasonable conditions for accepting voluntary confessions in evidence.

[From the Columbus (Ohio) Dispatch, June 15, 1966]

SAXBE RAPS COURT RULING ON INTERROGATION—SAYS WAY OPEN FOR LAWLESS TO "TREE TOWN"

Ohio Atty. Gen. William B. Saxbe forecast bleakly Tuesday the U.S. Supreme Court has opened the way for the lawless "to 'tree' the town."

Saxbe borrowed the phrase from Western lore. It referred to desperadoes taking six-gun control of small settlements.

The attorney general joined untold numbers of police and prosecutors who received with dismay the court's Monday decision regarding self-incrimination.

The far-reaching, 5–4 decision, laid down rules which make it impossible for police to question an uncooperative suspect and further weakened the legal effect of oral or written confessions, Saxbe said:

"I think the decision is a bunch of ———— ————," the out-spoken attorney general fumed.

Saxbe, who has been instrumental in attempting to raise pay scales and employment qualifications for Ohio lawmen, asserted the high court has imposed a nearly insurmountable block to law enforcement.

"The police officer today has got to be a diplomat, a combat soldier, a psychologist, a social worker and an expert marksman—yet he gets paid less than a street cleaner," Saxbe stormed.

"Certainly there are places where the training—the background—of officers may be deficient, but with what those men are paid, we're lucky to have them," Saxbe argued.

The Attorney General pointed out that police, "to maintain law and order, must have the force. You can't just let the hoodlums have the muscle.

"They'll run wild while the poor policeman's behind the tree, reading his rule book to find out what he can do about it," Saxbe warned.

Justice John M. Harlan, one of the four who disagreed with the majority decision, had commented in his strongly worded dissent: "The social costs of crime are too great to call the new rules anything but hazardous experimentation."

Prior to the decision, attorneys general of 27 states had urged the High Court to impose no further limits on the questioning of criminal suspects.

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[From the Columbus (Ohio) Dispatch, June 15, 1966]

RIGHTS OF LAWFUL SOCIETY SHAKEN BY WARREN OPINION

It takes a rare provocation to bring personalities into the ordinarily staid address of justices of the United States Supreme Court. But the division of opinion generated by Chief Justice Earl Warren's further limitation of interrogation as an instrument of law enforcement gave evidence that the popular misgivings about the chief justice's advocacy of permissiveness reach into the body of the court.

Most recent finding of the Warren-led majority which denies police the right to question suspects in criminal investigations without the subjects' consent brought a heated rebuttal from Justice John M. Harlan who contended the chief justice had introduced a "new doctrine" and warned against anyone being "fooled by it."

Justice Harlan's strongest point was made when he declared the ruling, which favors criminals over law-abiding citizens, "a one-sided proposition that ignored the other side of the equation—the side of society."

As in the 1964 Escobedo ruling this week's decision which extended the liberal philosophy of Escobedo was a close vote with the narrowest majority of one following the Warren leadership.

Each advancement of Chief Justice Warren's legal thinking weakens the case of the state in criminal actions. The task of law enforcement is multiplied at a time when it is already under heavy pressure from a rising crime rate.

Communism's fifth column is proffered a new security under the law and the day is readily foreseeable when contempt of official investigative bodies by the abuse of the Fifth Amendment will no longer be reprehensible.

Justice Byron R. White, another of the dissenting minority, assailed the Warren thesis as being without precedent or basis in the nation's law. He said:

"In some unknown number of cases the court's rule will return a killer, a rapist or other criminal to the streets and the environment which produced him, to repeat his crime whenever it pleases him. As a consequence there will be not a gain but a loss in human dignity."

We concur in the dissent.

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[From the Chicago (Ill.) Tribune, June 14, 1966]

WHY POLICE GET GRAY

A divided decision by the Supreme Court yesterday makes it even more difficult to hang a conviction on a criminal defendant. Taken in conjunction with a long series of previous holdings by the court, the decision throws up another roadblock in the path of the police and prosecutors.

The court embellished and extended its previously enunciated doctrine that a confession may not be introduced in court unless a man under arrest is given all the breaks. Police must warn a suspect from the outset that he may remain silent. He must be told that he is entitled to the presence of an attorney from the moment he is taken into custody, and even before that. He must be warned that anything he says may be used in evidence against him.

Only if the person under arrest waives these court-defined rights can the state or federal government take advantage of his admissions. But his decision to do so must be made "voluntarily, knowingly, and intelligently," and at any stage in the proceedings he may break off and demand a lawyer. It takes little imagination to see what a fruitful field these conditions open on appeal. By asking for a lawyer anywhere along the line, a defendant stands a good chance of invalidating the whole of a confession. And, if he does not exercise his protective options, it can always be contended that he was not acting "intelligently."

Chief Justice Warren, speaking for the majority, remarked that the court had arrived at its decision after reviewing its 1964 decision reversing the conviction of an Illinois defendant, Danny Escobedo, accused of murder. The court on that occasion held that any incriminating statement made after refusal of a request to see a lawyer cannot be introduced into evidence, thereby overruling a case decided only six years before.

In yesterday's decision, governing four criminal cases, the court expanded the Escobedo doctrine, which extended the right to counsel to a suspect in a police station. Now the right to counsel operates from the moment a suspect is taken into custody or "otherwise deprived of his freedom of action in any significant way."

Three of four cases before the court were decided on a 5 to 4 vote, and the other by 6 to 3. Convictions invalidated involved charges in one case of the murder of a woman and the robbery of four others; of robbing two federally insured lending institutions; of the kidnap-rape of an 18-year-old girl; and the robbery of a dress shop. The court professed itself anxious "to secure the privileges against self-incrimination."

The court began to express its aversion to confessions of any nature as far back as 1957, when it forbade federal [but not state] police to use statements produced during pre-commitment interrogation. That ruling saved Andrew Mallory from a death sentence for rape in Washington, D.C. Three years later he was convicted of the same offense in Philadelphia and is now serving a state sentence of 11½ to 23 years.

In his dissent from the Escobedo decision two years ago, Justice White objected: "Until now there simply has been no right guaranteed by the federal Constitution to be free from the use at a trial of a voluntary admission made prior to indictment. . . . Today's decision cannot be squared with other provisions of the Constitution which, in my view, define the system of criminal justice this court is empowered to administer."

Yesterday Justice White and his dissenting colleagues found themselves hollering down the old Warren rain barrel, while the majority, in Justice Black's characterization of a year ago, continued blithely to sit as "a day-to-day constitutional convention."

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[From the New York (N.Y.) Daily News, June 15, 1966]

SO WHY HAVE COPS AND DA'S?

The Earl Warren Supreme Court on Monday handed down a 5–4 ruling making it extremely difficult if not impossible for police to get confessions out of arrested persons—or for courts to admit any such confessions in evidence at the ensuing trials.

Arrestees must be told on arrest that they don't have to talk to the police and can demand attorneys at once (paid by the taxpayers if the accused is broke or says he or she is), and that anything they say may be used against them.

This is the British system, plus. Remember all those expertly written English murder yarns in which Inspector Gideon or Whom-have-you of Scotland Yard tells every arrestee: "I must warn you that anything you say," etc.?

The catch is that Britons by and large are law-abiding, and many criminal strains in the British population were cut off by the old laws carrying the death penalty for dozens of offenses—whereas the American people have a tradition of rebellion, for better or worse, going back to the Revolution and Civil War.

This new ruling may force police and district attorneys to do smarter detective work and evidence-assembling. Let's only hope it doesn't turn the criminal element loose on decent people, and thereby spark revivals of Old West-style Vigilante-ism. But let's not bet on those hopes.

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[From the Washington (D.C.) Evening Star, June 15, 1966]

THE NEW "SAFEGUARDS" FOR SUSPECTS

(By David Lawrence)

An unwitnessed crime hereafter may never be punished, particularly if the suspect knows enough to keep his mouth shut. Police officers have just been told by the Supreme Court of the United States that, immediately after they take a suspect into custody and prior to any questioning, they must warn him that anything he says may be used against him. They must specifically advise him of his right not to answer any question and of his right to have counsel beside him during any interrogation to which he may consent.

If the suspect indicates "in any manner and at any stage of the process" that he wants to consult with a lawyer before speaking or that he does not wish to be interrogated, there can be no questioning. Unless the prosecution demonstrates that it has used these "procedural safeguards" in behalf of the defendant, even voluntary confessions are not admissible as evidence in a court.

When the Supreme Court, by a 5-to-4 decision, said this week that these "safeguards"

are required by the Constitution, a sweeping change was made in the methods of handling persons accused of crime in America. Law-enforcement agencies now are confronted with new obstacles to the protection of men, women and children and to the prevention and punishment of crime.

The Constitution does say that no individual "shall be compelled in any criminal case to be a witness against himself" and that an accused person has the right "to have the assistance of counsel for his defense." But until recent years this has been construed to refer to trial procedures, and never before have these rights been extended so broadly to include questioning at the police station. Police officers in some cases have undoubtedly intimidated persons suspected of a crime, and in other instances have managed in a tactful way to elicit what are called "voluntary" confessions.

Now if a suspect makes any statement which is later used in court, the police have to prove that before the interrogation he was fully advised of his rights and had available the services of an attorney—who must be appointed for him if he is unable to retain one on his own. The suspect can waive such rights only if it is done "voluntarily, knowingly and intelligently."

Chief Justice Warren—joined by Justices Black, Douglas, Fortas and Brennan—says all this is in accord with the basic requirements of the Constitution. Four of the nine members of the court—Justices Clark, White, Harlan and Stewart—dissented and take the view that the court has gone too far.

Certainly more police officers now will be required in order to detect crimes. Since a policeman or even a witness seldom is present when a crime is committed, it becomes difficult, if not impossible, to produce indisputable proof when those suspected of complicity in the crime cannot be questioned without their consent.

Some of the justices in the minority think that it is enough to require that a confession be voluntary and that it wasn't necessary for the court to stress the need for the presence of counsel at all times or the fact that the suspect can remain silent if he wishes. Justice White, in his dissenting opinion, declares:

"The most basic function of any government is to provide for the security of the individual and of his property. The rule announced today will measurably weaken the ability of the criminal law to perform in these tasks."

Justice Harlan, in his dissent, says that the court now has extended the Fifth Amendment privilege to the police station, and he adds:

"Nothing in the letter or the spirit of the Constitution or in the precedents squares with the heavy-handed and one-sided action that is so precipitously taken by the court in the name of fulfilling its constitutional responsibilities."

Many states and bar associations have been struggling to find a system that would improve law enforcement, particularly with reference to the handling of suspects in police stations. Chief Justice Warren says that the decision this week does not interfere with further efforts in that direction. But many lawyers will wonder just how any rules can be drawn up that will induce suspects to tell the police anything if even mere conversation with a person in custody cannot be used in court against him and now is regarded as a form of duress.

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[From the Washington (D.C.) Evening Star, June 15, 1966]

GREEN LIGHT FOR CRIMINALS

The Supreme Court's 5 to 4 ruling on police questioning of criminal suspects will be received with rejoicing by every thug in the land. For without a doubt it is a ruling which will grievously handicap the police and make it much easier for a criminal to beat the rap.

The murky torrent of words embodied in Chief Justice Warren's opinion tends to obscure some aspects of the ruling. But the salient points come through clearly enough.

Henceforth, once the police have taken a suspect into custody, they cannot lawfully ask him any questions unless four warnings have been given. (1) The suspect must be plainly advised that he need not make any statement. (2) He must be informed that anything he says may be used against him in a trial. (3) He must be told that he has a right to have an attorney *present* throughout the questioning. (4) If the suspect is an indigent, he must be assured that he will be furnished a lawyer free of charge. Unless all of these conditions are met no confession or other evidence obtained during an interrogation can be used against the suspect.

The Chief Justice makes the remarkable observation that "our decision is not intended to hamper the traditional function of police officers in investigating crime." Intent aside, he must know that this is in fact a decision which will not only hamper but will largely destroy the traditional police function, at least as far as interrogation is concerned.

Why? Because any lawyer called in to sit beside a guilty prisoner is going to tell him to say nothing to the police. He would be derelict in his duty were he to do otherwise. In the face of this, the Chief Justice blandly suggests that there is nothing in the decision which requires "that police stop a person who enters a police station and states that he wishes to confess to a crime." How true! And how often in the proverbial blue moon will this happen?

The deplorable fact is that this ruling, as far as the public is concerned, will most directly affect the vicious types of crime—the murders, the yokings, the robberies and the rapes where it often is impossible to assemble enough evidence, without a confession, to obtain convictions. All the criminal need do is to demand a lawyer—and then the police, under the practical effect of this decision, will be unable to ask him question No. 1. What was it the President said about ridding our cities of crime so law-abiding citizens will be safe in their homes, on the streets and in their places of busines?

The dissents by Justices Harlan, Clark, Stewart and White were sharply-worded. It is necessary to read them to understand the frailty of the grounds upon which the majority rests this unprecedented ruling. But a few excerpts are helpful. Justice Harlan: "Nothing in the letter or the spirit of the Constitution or in the precendents squares with the heavy-handed and one-sided action that is so precipitously taken by the court in the name of fulfilling its constitutional responsibilities." Justice White: "The real concern is not the unfortunate consequences of this new decision on the criminal law * * *, but the impact on those who rely on the public authority for protection and who without it can only engage in violent self-help with guns, knives and the help of their neighbors similarly inclined." Justice Clark: "To require all those things (demanded in the majority opinion) should cause the court to choke over more cases than (those) which it expressly overrules today."

A final point. The newest member of the court, Justice Fortas, voted with the majority. But when he testified at a Senate Judiciary Committee hearing on confirmation of his appointment last year he said he believed that an "adequate opportunity" for police interrogation of persons accused or suspected of crime "is absolutely essential to law enforcement." Under this decision, which Justice Fortas joined, opportunity for police interrogation becomes, not adequate, but virtually impossible. Law enforcement, and especially the public, will suffer accordingly.

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[From the Washington (D.C.) Evening Star, June 17, 1966]

COURT'S 5-TO-4 RULING ON "HUMAN PERSONALITY"

(By Richard Wilson)

The demeanor of the Supreme Court when the recent opinions were read on getting confessions from suspected criminals revealed that the venerable justices are very wrought up over issues of high emotional content.

They are wrestling with a peculiarly modern problem much debated on the campuses of the universities and in intellectual circles. In the court's language this is the matter of respect for the "inviolability of the human personality."

This legally obtuse language can cover a lot of ground, ranging from the college boy who does not wish to be drafted to the demonstrator in the streets and on to the beat poet who peddles the delights of LSD and marijuana, all in the name of respect for the human personality.

The court has been seized with the problem over a wide range. The sanctity of the human personality emerges in the court's terms on such matters as the right to passports, birth control, school prayers, race relations, politics, Communist affiliations.

As most recently applied, the court comes down 5 to 4 with what amounts to a new law ending any attempt by the police to induce, trick or persuade suspected criminals into confessing. They can still confess, if they insist, but not until proof can be given that they do so of their own free will after being advised that they can remain silent and have a lawyer at their side. As a practical matter talking a criminal into confessing might as well be abandoned as a police practice from now on.

What the court is doing is debating the values of our time and not without rancor but wholly without consensus on matters vitally important to the general public.

The recent issue is only legalistically the principle of protecting the rights of the accused so that he is not intimidated or terrified by the atmosphere of the station house into acting and speaking against his own interests protected by the Constitution. If that were the case, the dissenting opinions revealed that the decision would have been better than 5 to 4.

The true issue involves the majority's eager crusading spirit tipping the balance of justice toward the criminal and without equal regard for those against whom the criminal has offended nor the responsibility of the state to protect life and property.

Social activism by the five justices usually thinking in concert is what is causing the trouble in the Supreme Court, and permits the vote of one man to decide issues of great importance. Franklin D. Roosevelt had a remedy for his time. He would have nearly doubled the court's membership so that its views would be more broadly representative, and thus more convincing.

But in Roosevelt's day the court was sanctified and immutable. One might as well have talked of increasing the membership in the Holy Trinity. Today we see the court in a different light, more as a tribunal than as a court in the hallowed sense, with five of nine tribunes issuing decisions that resemble laws, or edicts and who delve deep into the sociological and psychological unknown for guidance in interpreting or restating the Constitution.

What is being discussed here is not the school desegregation decision. That was unanimous. But for the last 12 years only one-third of the court's decisions have been unanimous, and the 5-to-4 line-up often

emerges in critical cases. A 5-to-4 decision is not convincing. It can always be overturned. If President Johnson had appointed to the court a justice like John Harlan instead of Abe Fortas, the decision would have gone another way in the confessions case.

The criticism of the Warren Supreme Court is not confined to those who don't like the school prayer decision or politicians who don't like the apportionment decision or the people who now fear that Warren permissiveness will help many a murderer, rapist and narcotics peddler beat the rap. Extremists who wish to "impeach Earl Warren" have a more rational counterpart in respected law professors and members of the Supreme Court itself who are becoming increasingly sharp, not to say heated, in their objections.

When there is this much smoke there is bound to be quite a fire. Chief Justice Warren added fuel to it by not merely defining the principle of freely given confessions, but by writing an edict thousands of words long on the conditions of admissible confessions. This essay was so diffuse and so fuzzy that any first year law student should be able to void a criminal's confession, no matter how freely given. Warren said, in effect, that his edict could be accepted as if it were a law until Congress or the legislatures come up with something as good of better.

Mr. BYRD of West Virginia. Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Washington yield me 1 minute?

Mr. MAGNUSON. I am happy to yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I want to compliment and commend the distinguished Senator from West Virginia [Mr. BYRD] who has made a major speech on one of the most troublesome subjects in our country today.

He has made a great deal of research on this subject, as he always does, putting his finger accurately on the facts and figures which we need to know.

I would hope that the Senate, the administration, and the people of this country would pay attention to the remarks made by the Senator from West Virginia [Mr. BYRD], because they are to the point and call attention to a problem which is not getting better but is getting worse as the weeks go by.

Mr. BYRD of West Virginia. I thank the distinguished senior Senator from Montana.

Mr. LAUSCHE. Will the Senator from Washington yield me 5 minutes of time, please?

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the Senator from Ohio proceed on his own time for 10 minutes. The reason I am doing this is that we are running out of time on the bill.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 10 minutes.

Mr. LAUSCHE. Mr. President, I commend the Senator from West Virginia for his very effective paper presented to the Senate on this day, dealing with the severe crimp that will be imposed upon the police of our country and upon law enforcement officials in the effective maintenance of law and order as created by the decision in the Miranda case.

Under the language of amendment 5 of the Constitution, the Supreme Court has interpreted the following clause as justifying the pronouncement that five of its judges made in the Miranda case: "nor shall—any person—be compelled in any criminal case to be a witness against himself."

The court construed that to mean that when a person is apprehended under circumstances indicating his possible connection with a crime, the officers, before they question him, in addition to what had been the practice for years gone by, must go on to tell him that he has a right to have a lawyer present; that if he does not have the money to hire a lawyer, the Government will provide him with a lawyer; that if he begins answering questions succeeding that information without a lawyer, he may determine to ask for a lawyer.

My only comment is that I wish to join with the prosecutors, the judges, and the general public in expressing the view that the majority members of the Supreme Court for some strange reason look around for justification to impose this burden upon the law enforcement officials of our country. The criminal now is shielded beyond what the framers of our Constitution ever intended. The Supreme Court has thrown practically an impregnable barrier around the criminal, that barrier being so strong that it will be incapable of penetration, and making the prosecution of criminals most difficult.

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## GRAND JURY FINDS COMMUNISTS ORGANIZED CLEVELAND RIOT

Mr. LAUSCHE. Mr. President, yesterday the grand jury of Cuyahoga County returned a report to the common pleas court of that county, dealing with the riots that took place in Cleveland a few weeks ago. The finding of that grand jury, in my judgment, is of the utmost importance to every citizen in the United States.

I wish to read the finding of the grand jury. It will be recalled that 96 buildings were burned down, lives were taken, bodies were injured, and many other trespasses were committed.

The grand jury of Cuyahoga County is made of 15 citizens. This particular grand jury had as its foreman Mr. Louis B. Seltzer, the former editor of the Cleveland Press, who served in the capacity of editor for 36 years.

This is what the grand jury reported:

This jury finds that the outbreak of lawlessness and disorder was both organized, precipitated and exploited by a relatively small group of trained and disciplined professionals in this business.

With respect to that finding, 10 days ago in Chicago I made the statement that the riots were so replete with expert action that only one conclusion could be drawn; and that was that the movements were centrally directed and planned.

The grand jury went on to say:

They—

And by "they" is meant these professionals—

were aided and abetted, wittingly or otherwise, by misguided people of all ages and colors, many of whom are avowed believers in violence and extremism, and some who are either members of, or officers, in the Communist Party.

Tragically, Mr. President, in the riots were hundreds of innocent people, and especially innocent Negroes. They did not know in their participation that in the background were Communists and organizers who precipitated and exploited the riots.

I read further from the report of the grand jury:

This jury considers it regrettable and unfortunate for the community's sake that the legal statutes of Ohio and Cuyahoga County are either so outmoded or inadequate in their scope that these responsible irresponsibles cannot at this time be reached by specific indictments for their infamous activities.

With regard to this finding, I wish to call to the attention of Senators that an amendment has been placed in the civil rights bill in the House of Representatives which would make individuals who precipitate, organize, or plan violence and riots in a community subject to Federal prosecution. When that measure comes before the Senate, it behooves us to make certain that it remains in the bill.

I shall read further from the findings of the grand jury:

This jury further believes that, even though what already happened is both regrettable and tragic in every conceivable human aspect, there is a grave potentiality for repetition of these disorders, or others like them, occurring elsewhere in this community.

I would add to that finding that there is a grave potentiality of repetition of riots not only in Cleveland but also in every metropolitan center in the country. In my judgment, the Lansing riot, the New York-Harlem riot, the Los Angeles riot, and the Cleveland riot are trial runs. They are drills under which these Communist leaders are perfecting their technique, making it possible for them to spread the destruction, spread the disorder, and spread the impotency of government throughout the country.

Mr. President, this is another finding:

It was established before the jury that the leaders of the W. E. B. DuBois Club and the Communist Youth Party, with interchangeable officers and virtually identical concepts, arrived in Cleveland only a few days before the Hough area disorders.

These men who came from Chicago, New York, and Brooklyn . . . they were seen constantly together. They made swift contact with other Clevelanders who, the evidence showed, are leaders of the Communist Party throughout the Ohio Valley district, including Cleveland.

I repeat that the tragedy of the riots is the fact that hundreds of innocent Negroes become enmeshed in demonstrations, not knowing at all that the Communists are standing in the background pulling the strings and directing the operations.

In Cleveland the rioters had supplies of Molotov bombs, and they met at the JFK club and discussed the planning of how they would snipe policemen and firemen.

There are innocent followers among the Negroes not knowing who is directing the matter.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the Senator from Ohio [Mr. LAUSCHE] may proceed for 10 additional minutes. I wish to ask a question of the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. The further tragedy is that exculpation is constantly provided. I do not know of anywhere that the action by a grand jury has been made which has revealed to the people what occurred. The grand jury in Cleveland, Ohio is entitled to the deepest gratitude from the people of this country, not only in Cuyahoga County, in putting its finger on what is happening in our country.

Mr. MAGNUSON. I want to suggest to the Senator that this is a revealing document which has nailed down for the first time, after very careful study—and I assume that testimony of witnesses and things of that kind—that this actually happened. It seems to me that since the House has now passed another civil rights bill which includes eight or nine sections—and I would be less than politically naive in the ways of this body—if I did not believe that many sections might be subject to long discussion, perhaps even a filibuster—and the possibility that these sections may not even be acted upon—I hope not—but there is a possibility in the Senate, this session.

It also seems to me that the section referred to by the Senator from Ohio concerning interstate movements of agitators and organizers, works both ways, and that section could probably get agreement in the Senate. I would think so, and I would hope so; and that the Judiciary Committee might well take that section as a separate bill, if necessary, and see that we get some action on this matter. I am going to so recommend.

Mr. LAUSCHE. On that score, the amendment added to the civil rights bill in the House is directed at all individuals, whites and Negroes.

Mr. MAGNUSON. Yes. It will help both ways. I think that this is so important, and with all this trouble going on in this country, I do not know what may happen in the urban areas of my State, but I suspect that agitators will be starting to move in from the outside to begin organizing. I would think so, but I have no evidence of it. However, our law enforcement officials in the State of Washington are a fine group of men and women, who are probably conscious of this fact. But this law would surely help them a great deal, and would certainly help them to prevent riots. That section of the bill is so important and so necessary at this time that in case we do have controversy and some problems with other sections of the bill, it should be made a separate piece of legislation.

Mr. LAUSCHE. I thank the Senator from Washington very much.

Mr. President, now in conclusion——

Mr. BYRD of West Virginia. Mr. President, will the Senator from Ohio yield for a question?

Mr. LAUSCHE. I am happy to yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. What is the JFK Club?

Mr. LAUSCHE. The JFK initials do not connotate what is ordinarily understood to be, of course, John F. Kennedy. They mean: Jomo "Freedom" Kenyatta. In other words, the followers of the Mau Mau operations of Kenya of which Jomo Kenyatta was the chief.

I made inquiry in Washington, as to whether there was a meeting on the night of Wednesday, the 20th, at the JFK Club, and the answer was that there was no meeting on the 20th, but there was one on the 19th.

What happened on the 19th?

On the 19th, a group was assembled at the Mau Mau Club, discussing plans as to sniping at firemen and policemen. It was during this discussion that the Cleveland police burst into the meeting and broke it up and therefore no conclusions were reached.

Mr. COOPER. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I am happy to yield to the Senator from Kentucky.

Mr. COOPER. Unfortunately, I did not hear the first part of the Senator's remarks, but I understand that his statement was made based upon the findings of the grand jury in Cleveland?

Mr. LAUSCHE. Yes, the Senator is correct.

Mr. COOPER. They are based upon the findings of the grand jury.

Mr. LAUSCHE. Yes.

Mr. MAGNUSON. And after a pretty thorough investigation, I understand?

Mr. LAUSCHE. Yes. I will read the first finding.

> This jury finds that the outbreak of lawlessness and disorder was both organized, precipitated, and exploited by a relatively small group of trained and disciplined professionals in this business.

Now, Mr. President, in conclusion, 96 buildings were burned down. One of the leading participants, in answer to the findings of the grand jury, made this shocking and I would say ridiculous and yet unpardonable statement, that the 96 buildings were burned down by white owners who wanted to collect insurance.

Think of the travesty, the insult to the intelligence, in making that kind of statement.

Mr. President, I yield the floor.

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## INDEPENDENT OFFICES APPROPRIATIONS, 1967

The Senate resumed the consideration of the bill (H.R. 14921) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1967, and for other purposes.

The PRESIDING OFFICER. Under the unanimous-consent agreement entered into, one-half hour of debate will be allowed on each amendment, with the exception of the amendment offered by the senior Senator from Colorado [Mr. ALLOTT], on which 1 hour will be allowed. On the bill itself, the proponents have 4 minutes remaining, and the opponents 47 minutes.

Mr. MAGNUSON. Mr. President, the Senator from Wisconsin [Mr. PROXMIRE], I understand, has an amendment pending, and I think he wants to bring it up now. Therefore, I suggest the absence of a quorum.

Mr. MANSFIELD. Mr. President, will the Senator from Washington withhold that?

Mr. MAGNUSON. I withhold my request.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. Does the Senator from Washington [Mr. MAGNUSON] ask unanimous consent that the time for the call of the quorum not be taken from the allotted time?

Mr. MAGNUSON. Oh, yes; that the time not be taken from either side.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I understand that my amendment, No. 734, is the pending business. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. PROXMIRE. I yield myself 6 minutes on the amendment.

Our economy is threatened with inflation. The capital goods market is very tight. Reducing public buildings projects would accomplish much and cost much less. My amendment (No. 734) to the independent offices appropriations bill would reduce the amount to be spent on General Services Administration construction, sites, and expenses of public building projects by $31 million to about $117 million for 1967.

I would simply deny funds for this year for any new Federal buildings in the District of Columbia. Mr. President, I stress that this would be simply a postponement to prevent the inflationary impact in this year when the economy is tight and $31 million added spending for Government buildings in the District of Columbia would make it tighter.

This spending is direct competition with home building. It will constitute one of the reasons why the experts expect home building to be depressed next year.

Under the 1967 budget, we would provide $30 million for new buildings in the District of Columbia. Many of these projects are extravagant. The new Tax Court, for example, will cost $6.6 million, or $32 per square foot, over 50 percent greater than the average for a Federal building.

I know the proponents of the bill will argue that the Tax Court building, for example, is necessary; that the people who work in this court have waited a long time for that building. That is true, but there is no question that they

can work in their present quarters with virtually equal efficiency. There is no question that the postponement of this construction will help relieve the inflationary pressures.

We are asking to start a new building for the Federal Bureau of Investigation at a cost of over $11 million. But even by the completion date of this facility, the FBI cannot use more than 84 percent of the office space.

The proposed Labor Department structure will ultimately cost $40,617,000. The bill before us proposed to provide a down payment of $12,433,000 for the substructure of the building.

I know that the proponents of the building contend that they must have this building now because the Inner Loop Freeway which is in process of construction would interfere or block the building construction after its undertaking. The answer to this point, Mr. President, is, Why not postpone the freeway construction? That too will help ease inflationary pressure.

This is not the year for the Federal Government to pump construction funds into our economy.

Finally, the Senate Appropriations Committee has provided $1,092,000 for the planning of a GSA building in the District of Columbia. It is estimated that this giant will cost over $19 million to build. This is hardly the time to embark on such a venture.

The House wisely voted to reduce the public building projects to $120 million, largely by eliminating buildings planned for the District of Columbia.

In other words, my amendment would go back to what the House did.

I feel strongly that we should follow their example. We are truly giving a nonessential program a priority it poorly deserves.

Mr. President, Senators and economists may differ on the necessity for a tax increase now. We may disagree on the dangers of inflation or whether the economy is going to overheat in the next 6 months, as the Federal Reserve Bank of New York predicted on Monday of this week. But, Mr. President, I think most of us agree that this is the year when we should, if we can do so, postpone all but the most essential Government expenditures, and especially spending for construction. The President of the United States has repeatedly pleaded with American industry to do this.

The President and his economists have pointed to the boom in business investment in plant and equipment as the most inflationary element in the economy—as the economists have long categorized it—the accelerator.

Now, Mr. President, if private industry should postpone building when possible, why should not the Federal Government? What kind of example are we setting for the economy? Will we think one way and act another?

Well, Mr. President, this amendment offers an opportunity to ease up on the accelerator that is speeding us toward inflation.

Let me quote from the report of the the Federal Reserve Bank of New York of last Monday. The report said that business activity may "quicken in the second half of the year, intensifying the strains on the economy's productive resources."

And why is the economy likely to intensify this pressure? The report asserts, and I quote, "spending at all levels of government appears headed up strongly over the balance of the year."

Mr. President, this means, of course, that to the extent that the economy reflects the Federal Reserve view, the Board stands ready to continue to keep money tight and interest rates high.

And that means the kind of appropriation now before us which my amendment would cut about 20 percent, is exactly the kind of appropriation which will mean higher interest rates as well as higher prices, unless we reduce it.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the article published in the Washington Evening Star about the prediction of the New York Federal Reserve Bank with respect to Government spending for the rest of the year.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RESERVE BANK'S PREDICTION: MORE EXPANSION INFLATION

NEW YORK.—The Federal Reserve Bank of New York predicts that business expansion will increase in the next five months and inflationary pressures will grow.

The bank, the largest and most influential of the 12 regional reserve banks, said in its monthly review yesterday that business activity may "quicken in the second half of the year, intensifying the strains on the economy's productive resources."

Strong pressures for higher prices should persist and possibly become stronger, the bank said.

Federal pay raises and the start of medicare should strengthen consumer spending, the report said, and capital investment by business should speed up if major labor strikes do not occur.

The banks said spending at all levels of government—local state and federal—"appears headed up strongly over the balance of the year."

The report of the bank is seen as an indication that the Federal Reserve will continue and possible strengthen its present policy of restraint on credit.

Mr. PROXMIRE. Mr. President, I reserve the remainder of my time.

Mr. MAGNUSON. Mr. President, I should like to suggest that I do not think this matter fits the generalities of the state of the economy as suggested by the Senator from Wisconsin. It is necessary to deal with specifics, and then to try to consider those specifics in relationship to what may be the general condition of the economy. It is not merely a question of needs; it is necessary to proceed to fulfill the needs in accordance with the general, overall picture.

The Senate committee, as has the House committee, responded to the general proposition that we should not proceed with as much public building as we normally do. The authorizations and fundings for public buildings over the years, as a rule of thumb, has always been between $170 million and $180 million, in some cases perhaps higher, but never more than $200 million for the whole country. For a country like ours, which is growing both in population and in the expansion of the economy, this is a modest amount. Percentagewise, it is probably less than is spent in any other country. Many other countries spend much more for public buildings in their national budget than the United States does.

We know that every year it is necessary to proceed to construct some public buildings. Many of our present buildings are inadequate. If Government agencies are required to function in inadequate quarters, that, in turn, does not help to serve the public needs. Also, some public buildings are so old that it is good economy to build new ones.

Another factor involved is that in renting buildings, the rental of space may be more expensive; or what rental space is available is too high priced when compared with the amortization of the cost of a public building.

So these are the criteria that are used in determining whether to construct public buildings. Many of them, particularly larger structures, can be amortized in the short period of 10 years at less than the cost of paying rent.

So that is the criterion. This year, the budget did reduce the funds for public buildings. Those outside the District, throughout the country, which are listed in the report, are only a few, where conditions seem to dictate that buildings should be built for reasons of high rental, deterioration, or the expanding needs of a rapidly growing population. So those buildings outside the District are buildings with definite priorities. They are few in number. They stand in line.

The Senator from Colorado and I never find out where these buildings are to be built until they come up and tell us; and they usually justify their requests with specific reasons to the House committee and to our committee.

Therefore, I say we have responded to the general proposition—with which no one could disagree—of the Senator from Wisconsin. This year, the total public buildings budget was $170 million, which follows pretty much the rule of thumb that seems to be necessary to stay alive these days, and used good commonsense on the question of public buildings throughout the country.

The House did cut out the buildings in the District of Columbia. One of those was the FBI building, which we authorized and for which sites and planning were started, 3 years ago. The land has been purchased, and they are ready to go. As Senators know, it will be located across from the Department of Justice on Pennsylvania Avenue, and is part of the planned rehabilitation of the other side of Pennsylvania Avenue.

But we thought perhaps it would be best not to go ahead with the whole building right now. It will be a building of considerable size, involving considerable cost; and we felt that perhaps funds for its construction should be delayed, even though the FBI is now scattered all over town. I do not know the exact number of locations; I believe the Senator from Colorado and I heard testimony that there are eight or nine places.

There is not much coordination. The work they do is so highly specialized that coordination is needed.

We did feel that since the land is ready, we might be justified in going ahead with the substructure—that is, the excavation. So we have put back in the bill the amount of money for the substructure for the FBI building, which is $11,320,000. We feel the ultimate completion of the building will not be delayed, because they will not be ready with the contracts, the design, and those matters, until probably next spring, anyway. We felt it was not necessary, as the budget suggested, to fund the entire amount. So the figure for that building was reduced some $30 million from what the budget had approved.

Then, as the Senator from Wisconsin suggests, we felt some urgency to take a good, long, hard look at the suggested new Labor building. The reason that we recommend funds for the substructure of that building, amounting to $12,433,000, is because an inner beltway is planned for the District, to come down from the plaza and underneath the Esso filling station—which is a familiar landmark to most of us down Constitution Avenue—and we thought we could save some money by having the substructure and excavation contractor working at the same time that the road contractors are building that tunnel. Because if they built the tunnel and completed the inner beltway, and then we decided to put up the Labor building, we would have to tear it all up, which might entail considerably greater cost. We do not have any definite figure, but we know it would cost more. So we put funds for that substructure into the bill, without funding any money for the building itself.

It has been my feeling, at least, that the Tax Court should have some kind of priority. I had hoped that the Senator from Wisconsin might split his amendment, so that the funds for these three separate buildings might be dealt with one at a time. The Tax Court has long needed a building. They have been moved around. Since the LaFayette Square plan was originated, they have been in three or four different places. Their work has increased—it naturally increases as we get more taxpayers in our population; more people, we hope, go to the Tax Court seeking justice on their tax bills; and I am hopeful that during the next session we will establish a small Tax Court for the little fellow whose claim is under $2,500, where he can have his case heard. We have a bill for that purpose; 55 Senators have cosponsored it, and I hope we can obtain more support next session.

But the Tax Court has been moved around considerably for 4 or 5 years, and I do not believe they can do their job as well as if they had their own building. It happens that the Securities and Exchange Commission, which used to be housed down below here in the temporary buildings, has moved. That plot is now available for the Tax Court, and that is where they expect to build their building.

This is what I mean by having to fit in each specific item, considering what the need is and what it is worth. Overall, I believe we have clearly done what the Senator from Wisconsin suggests. We have cut down the public buildings appropriation. I think we have done our share. The House wanted to go further; but I have been chairman of this committee long enough to believe that the House probably expected that we would put back in the bill some public buildings in the District, and we would have to go to conference with it; and that, too, is one of the reasons why we put these items back in.

It is a question of looking at each project to see whether it is likely to cost us more in the long run, when we know the projects are needed.

I know there is a great deal of building going on in the District. When I come down to work, sometimes I wonder if there is not too much. I think every Senator who drives to work or comes down to the Capitol, if he lives out some distance, has probably had that definite impression.

But the truth is that the Tax Court is needed. The truth is, I think, that we will save money on the substructure on the Labor building. The FBI building has been a long-established project, and that agency is scattered. We feel it is possible that by getting them a building and getting them together, we might save more in the long run.

The FBI is an important part of our Government. With the rising crime rate, they have more responsibility than they have had in the past. We want to give them working conditions by which they can carry out that responsibility at this time when it is so badly needed in the country.

That is the reason we have put these items back in the bill. We did not discuss very much, if at all, the GSA planning sites and planning. The GSA themselves, I will say to the Senator from Wisconsin, did not press that matter too much, as I recall. However, they were concerned as to the cost of the substructure of the Labor Department building. They were concerned about the top priority need of the Tax Court and the needs of the FBI.

We do not save anything in the long run by not going ahead with that substructure. That is the reason these items are in the bill.

Again responding to what we thought was our responsibility in these economic times, we cut down wherever we could. There is $32 million provided under the budget for the District of Columbia buildings, but $101 million is provided for the whole country.

That is about one-tenth of 1 percent of the budget for public buildings. I do not think there is a country in the world, Nigeria, Iceland, Great Britain, Japan, or any other country, that spends such a small percentage of their budget for public buildings.

That is why we think we are clearly carrying out our responsibility in these economic times by cutting this amount down as much as possible. But we did have to consider the specific needs.

Mr. PROXMIRE. Mr. President, I yield 3 minutes to the Senator from Delaware.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The Senator from Delaware is recognized for 3 minutes.

Mr. WILLIAMS of Delaware. Mr. President, I support the amendment of the Senator from Wisconsin and join him as a cosponsor of it.

The argument that postponement would be expensive from the standpoint of the Labor Department building, because of the substructure, does not hold up. The GSA on many occasions has put out a different contract for the substructure than for the major contract. That procedure can be followed again.

The President has called on American industry to postpone construction on all projects which are not absolutely essential until such time as the Vietnam war requirements have been met or we can reduce the demand for goods and thereby check this inflationary spiral.

I think it is time that the Government starts to live up to its own recommendations to American busines.

There is no doubt in my mind that the argument of the Senator from Washington is good. The Senator argues that if we postpone these matters, as the result of the increasing inflation that will follow, it may cost more to build the projects later.

That is the argument being used by everybody in America—that, with the continuation of the inflation that is confronting us, if we do not build today the warehouse, plant, or home we want, it will cost more money to build later.

The cause of this inflation is the deficit spending of the administration itself. We are forcing inflation, but yet the administration is asking American businessmen to cut back and not hesitate to pay more later in order to reduce the strain on the economy now. Are we not willing to practice that policy in Congress?

I think the Senate should agree to the amendment.

I will have an amendment which I shall offer later to postpone the construction of all projects providing for public buildings under this bill in all of the States, including Delaware, until such time as we have won the war or have more money. This amendment would stop all projects unless the President certifies that the particular building is essential to the national interest.

We cannot say that no building can be constructed under any circumstances, for a building may be needed in our national defense program. However, that is not true with the post offices and other public buildings, many of which we have waited for years to build.

The Tax Court building in Washington does not have to be built today. We have done without the building for years. We can postpone its construction for a few more years until the war is over and the strain is removed from the economy. The only way to check inflation is to

stop pumping money into the economy, and the only way to do that is to stop approving all these projects dreamed of in the various States.

Certainly if we are going to ask the American businessmen to cut back the Government ought to practice what we preach.

I hope the Senate will agree to the amendment.

Mr. MAGNUSON. Mr. President, I yield myself one-half minute.

The PRESIDING OFFICER. The Senator from Washington is recognized for one-half minute.

Mr. MAGNUSON. Mr. President, I do not want to suggest that the Senator from Colorado and I were thinking so much about the possibility of more cost being involved with respect to the Labor Department building substructure because of rising prices. However, we were definitely concerned that, if they went ahead with the inner beltway, we might have to tear the building down. That was the predominant consideration.

Mr. WILLIAMS of Delaware. I appreciate that. I can understand how that might be possible.

But the GSA has, on occasion, contracted for the substructure separately from the main structure.

I thought that was a poor way to construct a building. Nonetheless, for no valid reason that has been advanced the GSA approved two separate contracts for the Philadelphia Mint.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Wisconsin yield me 2 additional minutes?

Mr. PROXMIRE. Mr. President, I yield 2 additional minutes to the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 2 additional minutes.

Mr. WILLIAMS of Delaware. Mr. President, on the construction of the mint in Philadelphia, a year ago, the GSA, instead of putting that contract out for the complete building, divided it into two contracts, one for the substructure involving approximately $2,750,000; and a year after the completion of that work they advertised for bids on the rest of the structure. The remainder of the structure involved a cost of approximately $12 million.

It would not be at all impossible to carry out the objective which has been raised here. If it is essential that the substructure be put in we could still let the building be finished a year or two later.

The GSA has already set the pattern at a time when it was not necessary to do so. Today we can follow the same procedure.

Mr. MAGNUSON. Mr. President, I want to say——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the Senator have 5 additional minutes. I think I used his time.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MAGNUSON. Mr. President, I will take 1 minute.

I reiterate that no member of the committee disagrees with the basic proposition of cutting down in these times. However, we must look at the needs and decide whether it is penny wise or pound foolish.

We do not accomplish anything by wasting money. I think that the Senator from Colorado and the other members of the committee have been careful concerning the items in the bill.

I still do not think that one-tenth of 1.3 percent of the Federal budget for Federal buildings would be adding too much to the proposition that has been mentioned by the Senator from Wisconsin. It is probably the lowest percentage of any time in our history. I have made a research on this matter and it is the lowest percentage spent by any country in the world for public buildings.

That is the reason we think we have carried out our responsibility to keep the amount as low as possible, but we had to consider some of the needs and determine whether we were being penny wise and pound foolish in doing certain things.

Had this not been true, other buildings would have been included in here at a cost of probably $170 million to $180 million, which would be only two-tenths of 1 percent of our budget.

Mr. PROXMIRE. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 2 minutes.

Mr. PROXMIRE. Mr. President, first I ask unanimous consent that the Senator from Delaware [Mr. WILLIAMS], the ranking Republican on the Committee on Finance, be added as a cosponsor of my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I should like to explain why the District of Columbia is picked on in this case.

First, the economy is much tighter in the District than elsewhere in the country. Unemployment in the District in the recent months was 2.4 percent, compared with 4 percent nationally. So that here there is a particularly and peculiarly inflationary situation.

Second, this is what the House did; and we all know, from a practical standpoint, that it is much easier and more practical to accept what the House has carefully considered and acted on than to disagree with the House.

In the third place, it would set an example for the Nation that we are willing to take the action to postpone spending here in the District. It would set a wholesome example for the entire country.

This would not affect any educational or human need in the District. No one has contended, and no one can contend that postponing the Tax Court and the FBI buildings and these other two projects will have any effect on taking care of the children and the others in the District of Columbia.

Finally, I should like to also add that there has been much talk about economy in Government; but when it comes to acting on it, people can always find specific reasons for evading it. I am not saying that they should vote for all economy amendments. I would not do so, myself. But it seems to me that those who believe in economy have an opportunity here to follow a policy which our economists recommend, whether liberal or conservative, and to postpone this construction in a year when we have an inflationary building boom.

Mr. ALLOTT. Mr. President, I yield myself such time as I may use on the bill.

I should like to say a word or two about the amendment of the distinguished Senator from Wisconsin. He is so zealous in his efforts to keep the budget down, that I cannot help but admire him, because he talks my language when he does so. But I believe something ought to be said about this amendment.

The President and the Bureau of the Budget authorized $170 million on this particular item. The House came up with a figure of $101,565,000; and with the additions that we have put in here, we are still some $37 million under the budget figure. This, in itself, I will admit, is not a justification for starting these buildings.

However, two or three situations are particularly involved here which deserve particular consideration. One is the Secret Service Training Center, which is absolutely necessary if this group——

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. ALLOTT. That would not be affected by the amendment of the Senator from Wisconsin. I understand that.

The second situation involves the Labor building. If I may have the attention of the distinguished Senator from Delaware [Mr. WILLIAMS], I believe that the Labor building situation is not understood. The Inner Loop Freeway is planned to come across from the south to the north under the Mall. It is a fact that it is going to be there. And it is absolutely foolish to let them construct this loop under the Mall and under the site where the Labor building is to be built and not at the same time put in the substructure for the Labor building. No one can convince me that it will save money—in fact, we would spend millions of dollars extra—if we would put the highway under the building site now, and then later have to install the substructure for the Labor building and put it on top of that. The only logical way to do that is to put the two in together. That is the reason why the distinguished chairman and I recommended to the committee that we do this.

Another situation which has been pressing for a long time is that involving the Tax Court. At first, until I inquired into the matter, I was about half in opposition to it. We cannot ask people who have claims in the Tax Court to go up into the Internal Revenue building and convince them that when they walk into

the Tax Court across the hall, they will get a fair shake. They think that the Tax Court and the Internal Revenue Service are hand in hand. This is the simple fact of the situation. And we cannot tolerate this, because if people do not have confidence in the justice and equity of our tax courts, then we might as well do away with those courts. Today, many people believe, when they go into an IRS building, with IRS offices across the hall, that the IRS and the Tax Court are one and the same. Actually, of course, the court is where people appeal the decisions of the Internal Revenue Service.

The distinguished chairman of the committee, Senator HAYDEN, has desired the Federal Bureau of Investigation building for a long time. I might say this: We wish to cut expenses. But in considering these buildings, we also had to consider the factors that my good friend, the chairman of the committee, has suggested. However, I believe that the Members of the Senate should consider these additional factors. We will have these items in conference with the House. No one can foretell what the attitude of the House will be, but we did not put these items in just for fun. We put them in because we thought that they were a necessity, particularly inasmuch as they were so much under the budget.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SMATHERS (after having voted in the affirmative). I have a pair with the senior Senator from Arizona [Mr. HAYDEN]. Were he present and voting, he would vote "nay"; if I were permitted to vote, I would vote "yea." Therefore, I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from Connecticut [Mr. DODD], the Senator from Arizona [Mr. HAYDEN], and the Senator from Alabama [Mr. HILL] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Tennessee [Mr. GORE], the Senator from Alabama [Mr. HILL], and the Senator from Maryland [Mr. TYDINGS] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent because of illness.

The Senator from Iowa [Mr. MILLER] is necessarily absent.

The Senator from Vermont [Mr. AIKEN], the Senator from New Hampshire [Mr. COTTON], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Kentucky [Mr. MORTON], and the Senator from Nebraska [Mr. HRUSKA] are detained on official business.

If present and voting, the Senator from Vermont [Mr. AIKEN], the Senator from Utah [Mr. BENNETT], the Senator from New Hampshire [Mr. COTTON], the Senator from Kentucky [Mr. MORTON], and the Senator from Iowa [Mr. HICKENLOOPER] would each vote "yea."

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Iowa would vote "yea" and the Senator from Nebraska would vote "nay."

Several Senators inquired of the Chair how they had been recorded on the vote.

Mr. MAGNUSON. Mr. President, I ask for the regular order.

The PRESIDING OFFICER. The regular order is called for.

The result was announced—yeas 42, nays 43, as follows:

[No. 192 Leg.]

YEAS—42

| | | |
|---|---|---|
| Byrd, Va. | Harris | Proxmire |
| Cannon | Javits | Randolph |
| Carlson | Jordan, N.C. | Robertson |
| Case | Jordan, Idaho | Russell, Ga. |
| Church | Kennedy, Mass. | Saltonstall |
| Clark | Kennedy, N.Y. | Scott |
| Dirksen | Lausche | Simpson |
| Dominick | Metcalf | Symington |
| Douglas | Mondale | Talmadge |
| Ervin | Murphy | Thurmond |
| Fannin | Nelson | Tower |
| Fulbright | Neuberger | Williams, Del. |
| Griffin | Pearson | Young, N. Dak. |
| Gruening | Prouty | Young, Ohio |

NAYS—43

| | | |
|---|---|---|
| Allott | Holland | Morse |
| Anderson | Inouye | Moss |
| Bass | Jackson | Mundt |
| Bayh | Kuchel | Muskie |
| Bible | Long, Mo. | Pastore |
| Boggs | Long, La. | Pell |
| Brewster | Magnuson | Ribicoff |
| Burdick | Mansfield | Russell, S.C. |
| Byrd, W. Va. | McCarthy | Smith |
| Cooper | McClellan | Sparkman |
| Curtis | McGee | Stennis |
| Eastland | McGovern | Williams, N.J. |
| Fong | McIntyre | Yarborough |
| Hart | Monroney | |
| Hartke | Montoya | |

NOT VOTING—15

| | | |
|---|---|---|
| Aiken | Ellender | Hruska |
| Bartlett | Gore | Miller |
| Bennett | Hayden | Morton |
| Cotton | Hickenlooper | Smathers |
| Dodd | Hill | Tydings |

So Mr. PROXMIRE's amendment was rejected.

Mr. MAGNUSON. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. ALLOTT. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

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## COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare be permitted to meet during the session of the Senate today.

Mr. ALLOTT. Mr. President, I have been asked to object.

The PRESIDING OFFICER. Objection is heard.

## INDEPENDENT OFFICES APPROPRIATIONS, 1967

The Senate resumed the consideration of the bill (H.R. 14921) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1967, and for other purposes.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment and ask that it be stated. I will ask for the yeas and nays on my amendment after the amendment has been read.

The legislative clerk read the amendment as follows:

On page 43, line 13, before the period insert a colon and the following: "*Provided further*, That no part of the appropriation provided pursuant to this Act to the General Services Administration under the heading "Construction, Public Buildings Projects" shall be available for any building project until the President certifies to the Congress that the construction of such project is essential in the public interest."

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 5 minutes and will be brief.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 5 minutes.

Mr. WILLIAMS of Delaware. Mr. President, I think we can vote on the amendment in a few minutes——

The PRESIDING OFFICER. The Senator will suspend until the Senate is in order. The Senate will please be in order. The Senator from Delaware may proceed.

Mr. WILLIAMS of Delaware. We have just voted on the question of the elimination of three projects in the District of Columbia. However, in this bill, there are many projects for public buildings throughout the country in the various States, including one in Delaware, which I know my State would like to have, but in times such as these, with a war going on in Vietnam, with a shortage of materials, all of these projects which are not absolutely essential to the national interest should be postponed.

The PRESIDING OFFICER. The Senator will suspend. The Senate will please be in order. Senators will please refrain from talking. The Senator from Delaware may proceed.

Mr. WILLIAMS of Delaware. Mr. President, the adoption of the amendment would not strike out any projects in the bill. It would merely have the effect of holding each one in abeyance until the war is over. None could be started, no work could proceed, nor any money spent unless or until the President had certified to Congress that construction of the particular project was essential to the defense of our country.

There is really only one way for the Senate to practice economy and that is to stop the construction of all public buildings which are not immediately essential until such time as we have the money

or the economy of the country is in a better position.

An excellent argument was made that we need this Tax Court in the District of Columbia. I would agree with that argument, but I point out that the Tax Court has been in existence for 53 years, and we have done without the building so far, so we do not have to have it right now with a war going on. That is an example of a building construction which can be postponed, and so can many of these other buildings, regardless of how meritorious their construction under normal circumstances would be.

However, these are not normal times. There is a war on. There is a serious threat of inflation in this country. There is only one way for Congress to practice economy and that is to hold up the building of projects in every State in the Union, including the District of Columbia, hold them all in abeyance unless a particular project is found to be absolutely essential in the national interest.

Mr. President, I am ready to vote.

Mr. COTTON. Mr. President, I would like to have the RECORD show that I was in my office. My bells did not ring. I was listening for them. I did not know about the rollcall until I was telephoned. I came over as soon as possible.

I would like the RECORD to show that had I been permitted to vote, I would have voted "aye."

I would also like the RECORD to show that the regular order was called and the usual courtesy was not extended to Members on their way to the Senate.

My office had just informed me that the bells in my office are at this moment being repaired.

Mr. DOUGLAS. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. DOUGLAS. I approve of the general purpose of the Senator's amendment, but is it not true that the President already has this power?

Mr. WILLIAMS of Delaware. Yes.

Mr. DOUGLAS. Namely, that the appropriation need not be carried out if the President suspends it?

Mr. WILLIAMS of Delaware. That is true, but under my amendment Congress on an affirmative basis would stop these projects. It would be mandatory upon the President that he carry out this procedure. Why should we pass the buck to the President?

The PRESIDING OFFICER. The Senate will please be in order. The Senator will suspend. The Senate will please be in order so that the colloquy can be heard between the Senator from Delaware and the Senator from Illinois. The Senator from Illinois may proceed.

Mr. DOUGLAS. Let me say to the Presiding Officer that I appreciate his efforts to get the Senate to come to order. I was afraid that I was going to be disturbing the Senate by addressing a question to the Senator from Delaware.

Let me ask the Senator, does not the President already have the power to suspend expenditures even though there has been an authorization and an appropriation made by Congress?

Mr. WILLIAMS of Delaware. The Senator is correct. However, I wish he would exercise that power at this time, as President Truman did during the Korean war. President Truman issued a similar order during the Korean war. My amendment would make it mandatory that these projects be stopped unless there were affirmative action by the President certifying to Congress that a project was essential to the national interest.

I think the President should have been more diligent in exercising the authority to curtail expenditures that he has now. But I do not think it is quite fair for Congress to approve a series of projects for public buildings in our respective States and then pass the buck to the President and say, "Now, you stop them."

I am willing to vote to stop all this public building construction until the Vietnam war is over, including those projects in my State.

Let us stop them in Congress ourselves. We have the authority and the responsibility. This is a bill which provides for the construction of many new public buildings throughout the country, including one in Delaware as well as in many other States. This would merely hold them all in abeyance until such time as we were ready to act. Why not?

Mr. DOUGLAS. I have a great deal of sympathy with what the Senator is trying to do——

Mr. MAGNUSON. Mr. President, no one can hear what the Senator from Illinois is saying.

Mr. HICKENLOOPER. Mr. President, will the Senator from Delaware yield to me on a matter of personal privilege, without losing his right to the floor?

Mr. WILLIAMS of Delaware. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, I thank the Senator for yielding to me. I want to say that I am in the same situation as the Senator from New Hampshire [Mr. COTTON]. The bells did not ring in my office, either, nor did they ring in his. We were called that a vote was going on. I know that I left my office at the same time the Senator from New Hampshire did. We both left immediately and came over here, but I ran into the precipitate and rather unusual call for the regular order.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. Mr. President, I have the floor, I yield.

Mr. MAGNUSON. Mr. President, the regular order is often called for. I have no objection to any Senator calling for the regular order at any time. I think we abuse the privilege. As a matter of fact, there is no rule for our waiting and waiting and waiting. Some of us will miss some votes. The law of averages will catch up. This was only one vote. I had a right to call for the regular order. If the Senator from Iowa wants to call for the regular order and the Senator from Washington misses a vote, I have no objection.

Mr. HICKENLOOPER. I merely want to say that had I been here I would have voted "yea."

Mr. COTTON. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. COTTON. I agree with the Senator from Washington that one has a right to call for the regular order, but this was the first vote today. When Senators are waiting for the bells to complete work in their office this consideration has always been extended.

I assure the Senator from Washington that his invitation for the rest of us to call for the regular order will be accepted.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Illinois.

Mr. DOUGLAS. May I address an inquiry to the Senator from Delaware? I have great sympathy for what the Senator is trying to do, but the amendment would make it more difficult for the President. What the Senator is doing is providing that the President must authorize each project rather than have the power to proceed with the projects. While I shall vote for the proposal of the Senator from Delaware, if it is put to a vote, I merely wish to point out that it might have the effect of being point scoring and put the President under embarrassment.

Mr. WILLIAMS of Delaware. Mr. President, that is not the intention of my amendment. The intention of my amendment is to put into effect during the Vietnam war the doctrine which President Truman put into effect during the Korean war when he said he was suspending all projects nationwide and that they would not be resumed until the war was over or they were certified as being essential in the national interest.

All I am saying is that we in Congress should go on record supporting this policy. This amendment does not at all put the President on the spot. Personally, I would be willing to act on these items one at a time, but that would delay consideration of the bill; besides, some may be essential. For example, there could be a project involving some military project. We could not just say that all of them must be postponed. This amendment would have the President proceed when the President thought it was essential to the national interest.

Under this amendment the President could approve the substructure of the Labor Department building in question if he felt it was in the public interest to do so.

I am not offering this amendment as any attempt to put the President under any political embarrassment—quite the opposite. He already has the same authority. This is the same proposal President Truman announced during the Korean war. It is a policy the President should have announced long ago. I am suggesting that Congress go on record since the President appears reluctant to act.

Mr. DOUGLAS. This amendment is limited to the construction provided for in this bill? Is that correct?

Mr. WILLIAMS of Delaware. President Truman covered all public works projects, dredging projects, and all others.

Mr. DOUGLAS. Across the board.

Mr. WILLIAMS of Delaware. Yes, but this amendment is limited to public buildings referred to in this bill. I would prefer to go all the way, but under this proposal we are limiting it to the new buildings covered by the bill.

Mr. DOUGLAS. The amendment of the Senator from Delaware is limited to buildings included in the independent offices appropriation bill; is that correct?

Mr. WILLIAMS of Delaware. Yes.

Mr. President, I have asked for the yeas and nays.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MAGNUSON. I want to make a point of order on the ground that it is legislation on an appropriation bill, because it directs the President to take affirmative action before the money can be spent. It seems to me that this should be in the form of legislation. I therefore make a point of order.

Mr. WILLIAMS of Delaware. I ask the Senator to withhold his point of order. I call attention to the fact that this amendment is to a part of the bill which likewise is legislation as reported out of the Senator's committee. I refer to page 43, lines 10 to 13. If the Senator will read the language on page 43, which language was included by this committee, that, too, is legislation. So I am proposing to amend a legislative proposal and, therefore, it is germane.

Mr. MAGNUSON. That does not mean that either one is not legislation.

Mr. WILLIAMS of Delaware. That is true, but I assume the chairman would not make a point of order against the language reported by his committee.

Mr. MAGNUSON. Well, I will make a point of order against the Senator's amendment. We fully understood that there might be a point of order against the proviso on page 43.

Mr. WILLIAMS of Delaware. The Senator will find that the proviso on page 43 is legislation. Will he not agree that it, too, is legislation?

Mr. MAGNUSON. I think this: We often do that in the Appropriations Committee when we consider these bills. It is necessary sometimes to include legislation, but we expect to get a two-thirds vote approving the language. That particular provision is legislation, and I think the amendment of the Senator from Delaware is legislation.

Mr. WILLIAMS of Delaware. I have a strong suspicion that we would make much better progress if the point of order were not made against this amendment. I think I am entitled to vote on this amendment. This is the only way to do it unless we take up each item individually, and then we will have about 40 rollcalls. I hope the Senator will not insist on a point of order.

Mr. MAGNUSON. That is all right with me; but if the Senator makes a motion to strike out this item, he is asking that the President must do something before he can proceed with any building.

Mr. WILLIAMS of Delaware. That is exactly what was done in the Korean war.

Mr. MAGNUSON. I do not want to go to the White House and ask, "Will you please build a needed Federal building in my State?" I underline "needed." I think that would be putting the President in a position where he would be able to do what the Senator from Illinois suggested: "Oh, yes, surely. If you will do this, maybe I will do that."

We have tried to stop the so-called logrolling and exchanges with respect to public buildings. Proposals for public buildings are considered by the committee under a strict rule of priority and a formula. The committee never knows where the buildings will be constructed until the proposals are presented to us and their need is justified. The committee receives requests for buildings to be constructed all over the country.

I repeat what I said before: The cost of these buildings is far below what we have usually spent in carrying out what the Senator from Delaware has discussed. The bill provides $101 million for this purpose, which is one-tenth of 1 percent of the Federal budget. No other country in the world, at any time, has budgeted for public buildings in that ratio.

Mr. President, I renew my point of order on the amendment.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). The point of order is sustained. The amendment is legislation on an appropriation bill.

Mr. WILLIAMS of Delaware. Mr. President, I do not question the point of order. I recognize that the amendment is legislation. But I was proposing to amend a legislative proposal.

Rule XVI, section 2, reads as follows:

2. The Committee on Appropriations shall not report an appropriation bill containing amendments proposing new or general legislation or any restriction on the expenditure of the funds appropriated which proposes a limitation not authorized by law if such restriction is to take effect or cease to be effective upon the happening of a contingency, and if an appropriation bill is reported to the Senate containing amendments proposing new or general legislation or any such restriction, a point of order may be made against the bill, and if the point is sustained, the bill shall be recommitted to the Committee on Appropriations.

I make the point of order that the language, for example, on page 43 of the bill, line 10 through line 13, is legislation.

The bill contains various other pieces of legislation. I understand that a point of order may be made either against the amendment itself or against the bill, and I make the point of order against the entire bill.

The PRESIDING OFFICER. The Chair inquires of the Senator from Delaware, Is his point of order being made against the specific amendment, or the entire bill?

Mr. WILLIAMS of Delaware. I make the point of order against the entire bill. This is legislation.

The PRESIDING OFFICER. Is the point of order being made that the committee amendment is legislation?

Mr. WILLIAMS of Delaware. I make the point of order that the appropriation bill as reported by the committee does contain legislation in violation of the rule which I have cited, at page 43, lines 10 to 13.

The PRESIDING OFFICER. The point of order is sustained. The bill is recommitted to the Appropriations Committee.

Mr. MAGNUSON. Mr. President, I did not hear the ruling. The Senator from Georgia was speaking to me.

Mr. STENNIS. Mr. President, may we have order in the Senate? Will the Chair command that the Senate be in order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. WILLIAMS of Delaware. Mr. President, I regret this and would be willing to proceed now, but I have no choice since there are points of order being made against my amendment, upon which it was my understanding we could get a vote. It now appears that the only way I can get a vote on it would be to have a motion to suspend the rules filed and lie overnight.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. If I can get an agreement that we can have a vote on this amendment and no point of order made, I am willing to proceed. Otherwise, I shall have to insist on my point of order.

Mr. MAGNUSON. Will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MAGNUSON. If the Senator will agree that his amendment is legislation——

Mr. WILLIAMS of Delaware. I agree.

Mr. MAGNUSON. Which the Chair has ruled on both points of order, it will require a two-thirds vote.

Mr. WILLIAMS of Delaware. No, it will not. Under the rules unless the point of order were made it would only require a majority. Unless there is a point of order made against either of them only a majority vote is required. That is the rule. I will withdraw my point of order against the legislation which the committee has put in the bill if the point of order against my amendment is withdrawn.

Mr. MAGNUSON. The Senator can make his point of order if he wishes.

Mr. WILLIAMS of Delaware. That is correct.

Mr. MAGNUSON. And we would have to appeal for a two-thirds vote.

Mr. WILLIAMS of Delaware. No, there is no appeal on this.

Mr. MAGNUSON. I would be glad to have a vote on the Senator's amendment, if he agrees it is legislation, and will further state that his amendment is legislation.

Mr. WILLIAMS of Delaware. They are both legislation.

Mr. MAGNUSON. Oh, both. The Senator can make a point of order on the other one if he wishes; the committee does not care at all whether it is in or out. It amounts to a very minor matter on urban housing. It is only put in there to be helpful.

Mr. WILLIAMS of Delaware. Mr. President, the point of order stands. I do not withdraw it.

Mr. COOPER. Mr. President, I hardly ever enter into debate on the technicalities of the rules. But I have

been sitting here for 2 days now, listening, and at times, participating in the debate on this bill—as the managers of the bill, the Senator from Colorado and the Senator from Washington know.

We have debated and voted on a number of very important subjects. There were votes on amendments to reduce appropriations for the Space Administration. They were followed by quite an extended debate upon whether Congress should reduce appropriations for the civilian supersonic aircraft. I voted for these amendments.

This morning we had a lengthy debate upon appropriations for construction of buildings in the District of Columbia.

The amendment which has been offered by the Senator from Delaware extends the substance and purpose of the amendments upon the construction of buildings in the District of Columbia. I sit beside my friend and colleague, the Senator from Delaware, and have great respect for him. But I believe that, since we have debated for 2 days on this bill, which affects nearly a score of important independent offices and agencies of the Government, we ought to continue and finish the bill.

So, with all respect to my friend and seatmate, Senator WILLIAMS, I hope he will withdraw his point of order, and permit the Senate to go ahead. He can propose another amendment to eliminate all of these projects, we can vote and we will reach the same conclusion, and we can proceed on the bill. I hope very much that we can proceed.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Washington.

Mr. MAGNUSON. Mr. President, in view of the fact that it would not be much trouble for the committee to have a meeting immediately downstairs, and come right back with the same bill unanimously—which they would do—it would be all right with me to do that. But in view of the fact that the Senator from Delaware has told the Senate—and I know he will verify my statement—that this is legislation on an appropriation bill, attached to a proviso in which the committee is not really interested one way or the other—it was really put in there to aid the urban renewal program, for better procedure, which we do occasionally in Senate appropriation bills, though I have never known of any legislation of major importance being put in an appropriation bill by a Senate committee, sometimes, to expedite things, we feel we have to do this—and the Senator wishes a vote, which he is entitled to, on his proposal—which would make the President the czar of public buildings in the country, not Congress; I do not know how I would fare under that rule, but I hope I will not have to ask the President to build a needed public building in my State—I ask unanimous consent to withdraw my original point of order, and I understand the Senator from Delaware will do the same.

The PRESIDING OFFICER. The unanimous-consent request must be made that the ruling of the Chair be rescinded.

Mr. MAGNUSON. I ask unanimous consent that the ruling of the Chair on the point of order of the Senator from Delaware also be withdrawn.

Mr. WILLIAMS of Delaware. I have talked with the Senator from Washington, trying to get an agreement, and I agree with what the Senator from Kentucky has said. But as I understand it the only way to arrive at a vote on my amendment would be to obtain an agreement with the Senator from Washington or to make the point of order, which I did.

But I now understand that the Senator from Washington is willing to withdraw his point of order, and therefore I ask unanimous consent that the decision of the Chair on my point of order be withdrawn. We can then proceed to a vote.

I am, however, withdrawing my point of order with the understanding that no point of order will be renewed as to my amendment. If that were done I would have to renew my point of order.

Mr. ALLOTT. Mr. President, reserving the right to object—and I do not object—it seems to me that in considering matters of as great importance to the country as are the items contained in the pending bill, the last 15 or 20 minutes has been an exercise in futility of the most outrageous sort.

I understand the aim of the distinguished Senator from Delaware, but I would like to point out to him—and reserve the right to object—that his entire amendment is an exercise in futility at any rate, because the President has a right, and always has the right, to exclude these items, and reserve any funds he wishes.

The amendment of the Senator is therefore an exercise of a supernumerary disposition to the President. It is unnecessary. It may give the Senator some great personal satisfaction to do this, but it has consumed the time of a great many people and is unnecessary.

I will not object to the amendment, but I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is there objection to the unanimous-consent requests?

Mr. COTTON. Mr. President, reserving the right to object, what is the unanimous-consent request?

Mr. WILLIAMS of Delaware. The Senator was withdrawing the point of order he made against my amendment.

The PRESIDING OFFICER. Is there objection to the unanimous-consent requests to rescind the two points of order and the two rulings of the Chair? The Chair hears none, and it is so ordered, and the bill is once again before the Senate.

Mr. RUSSELL of Georgia. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. RUSSELL of Georgia. Mr. President, does the amendment of the Senator from Delaware apply to all public buildings contained in the bill or to certain ones?

Mr. WILLIAMS of Delaware. It applies to all public buildings provided for under GSA appropriations. We cannot make a simple amendment and delete them by name since only a part are named. Many of the buildings are not named in the bill, and there may be others in prior appropriations that as yet have not been started.

The amendment is different than described by the Senator from Colorado. The President does have such authority now, but he has not used it. We do not delegate any authority to the President.

This amendment would stop the construction of every one of the buildings unless the President certifies that that particular building should be constructed in the interest of national defense.

We have a war going on. The amendment would stop the construction of all buildings which could be postponed until a later date.

That is the purpose and intent of the amendment.

I fully agree that the amendment is legislation. I believe it to be in order since I am amending a legislative proposal. However, I recognize that a point could be made against both of them. I withdrew my point of order with the understanding that we could proceed to vote on this question. If we adopt this proposal, we will have stopped the construction of all new public buildings in every State of the Union unless that particular building is essential to the public interest.

I think that with the war going on, we ought to stop such construction.

The PRESIDING OFFICER. Who yields time?

Mr. ALLOTT. Mr. President, I yield 1 minute on the bill to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington is recognized for 1 minute.

Mr. MAGNUSON. Mr. President, a great deal of construction is provided in this bill for the Veterans' Administration, veterans' hospitals, and remodeling. Would that be included?

Mr. WILLIAMS of Delaware. This refers only to those provided in the General Services appropriations.

Mr. ALLOTT. Mr. President, I yield myself 1 minute to ask the Senator a question, if he will answer it.

The Senator has made the statement that this covers 15 to 20 percent of the General Services appropriations?

Mr. WILLIAMS of Delaware. No. I did not mean to say that.

Mr. ALLOTT. That was my understanding of the statement of the Senator. All of the General Services construction is shown on page 10. This is what the vote will be on, and this is what the motion of the Senator applies to.

Mr. WILLIAMS of Delaware. Pages 18 and 19 itemize some of the projects. Over on page 11 and page 15 the Senator will find the figure of $133 million. There is nothing here on page 10.

Mr. ALLOTT. I refer to page 10 of the report.

Mr. WILLIAMS of Delaware. I was speaking of the bill. We do not amend committee reports.

Mr. COOPER. Mr. President, may I ask the Senator from Delaware exactly what buildings his amendment refers to.

Mr. WILLIAMS of Delaware. On page 15 of the bill is a title referring to public buildings. The amendment would apply to all of the buildings under the General Services Administration appropriations. The GSA appropriation really starts on page 13 and goes to page 15, on construction of public building projects of all types.

Mr. COOPER. Mr. President, would it apply only to the buildings which are listed on pages 16, 17, and 18?

Mr. WILLIAMS of Delaware. No. It applies to some that are not named. The reason that the amendment is drawn in this way, rather than merely deleting those that are named, is that if we were to do that we would be leaving in some that were approved earlier this year in the supplemental appropriations.

The amendment applies to all public buildings as well as those included in the committee report and including one in my own State. This would further postpone all of them until such time as the war is over and we actually need the buildings in the public interest.

Mr. COOPER. Would the buildings not named be of the same type as the buildings named on pages 16, 17, and 18?

Mr. WILLIAMS of Delaware. The same type; yes.

Mr. ALLOTT. Mr. President, I yield 1 minute to the senior Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 1 minute.

Mr. SALTONSTALL. Mr. President, I have been a member of the Appropriations Committee for a number of years. I cannot vote for the amendment of the Senator from Delaware.

If we vote for the amendment of the Senator from Delaware, we are in substance giving the President a veto power over the details of a bill, of items in a bill. The Senate has always resisted that on the ground that Congress has certain rights, and when Congress appropriates for a certain building or for a certain item, it is a part of the overall bill.

If we are going to allow the President to pick out one building and say it is in the public interest, and another building is not, then we will have an item veto in an appropriation bill. We have always resisted this.

I hope that the amendment is rejected.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. STENNIS. Mr. President, I ask the Senator from Massachusetts if it is not true, as he has pointed out here, that we would, in effect, be surrendering to the Executive one of the very vital constitutional functions of Congress, the function of appropriating money?

Mr. SALTONSTALL. I agree. We have resisted that time and time again.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 2 minutes.

Mr. WILLIAMS of Delaware. Mr. President, there is a difference between this amendment and the item veto. This does not involve an item veto. Congress will be doing the vetoing of these projects.

If this amendment is agreed to the Senate would automatically be placing a veto of every project mentioned in the bill, and the only way that a project could be restored would be by the certification of the President that its construction is essential in the public interest in this war. Otherwise, we are vetoing all of them ourselves. I repeat, they would all be vetoed unless the President affirmatively certified that the construction of any particular building is essential to the national interest and that construction should proceed, notwithstanding the war.

This is the reverse of an item veto. We are not saying that he can veto these projects. He can do that now. We are vetoing them here and now if we approve this amendment. If we agree to this amendment we are vetoing all the projects in our respective States. The only way that any project could be reinstated, if the amendment is agreed to, would be for the President to certify that that particular project is essential to the national interest and that it is essential to proceed, notwithstanding the fact that a war is going on.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. DOUGLAS. Mr. President, the Senator cited the example of President Truman in 1951 in suspending construction of certain buildings. There is also a precedent in his action in 1946 when, under inflation, President Truman similarly suspended the construction of a large number of projects.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. DOUGLAS. Is it not also true that in the military appropriations act, the Secretary of Defense a number of times has refused to authorize the expenditure of money for projects which Congress requested?

Mr. WILLIAMS of Delaware. That is true; and in this particular instance we are taking the affirmative action ourselves. If we do not adopt this amendment, we will be authorizing $130 million to construct public buildings throughout the United States. Later we will stand on the floor of the Senate and say, "It is the President's fault. He should have stopped it." This is our responsibility. The question here is, Are we willing to give up the projects in our own States as well as those here in the District? Let us make the decision here.

Do we want the Government to run full speed ahead, constructing public buildings in all the States? Or do we want to recognize that a war is going on and that we should stop the construction of every public building in all 50 States until the war is over unless a particular building is absolutely essential to the national interest? In that event the President could so certify it.

Mr. SALTONSTALL. Mr. President, will the Senator yield me 1 minute?

Mr. ALLOTT. I yield 1 minute.

Mr. SALTONSTALL. I say to the Senator from Illinois, most respectfully, that there is a great difference between Congress putting an appropriation in a bill and the executive department, headed by the President, not spending the money. We cannot object to that. This is completely different, because here we are asking the President to take an affirmative act before he can spend the money.

As a member of the Committee on Appropriations and the Committee on Armed Services, I know—and I know that the Senator from Illinois knows—that sometimes many items that we put in are not built. But that is different from saying that nothing shall happen unless the President takes an affirmative act, because there is an item veto.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. YOUNG of North Dakota. Mr. President, I have a great deal of sympathy for the objectives of the Senator from Delaware.

We are in a very expensive war, facing a huge supplemental appropriation for Vietnam next spring. I believe that we should go easy on all public construction. But I doubt whether eliminating all these buildings would be in the interest of economy. I am quite sure that architectural and planning work have been completed on a great many of these public buildings, much of which would be lost if construction is postponed for several years.

Mr. MAGNUSON. Mr. President, I yield myself one-half minute.

I say to the Members of the Senate that 30 buildings have been eliminated from the original request. The criterion is difficult—the need for public buildings. This is the rockbottom amount that we have here; and this is still, I repeat, one-tenth of 1 percent of the Federal budget for the entire country.

Mr. BYRD of Virginia. Mr. President——

The PRESIDING OFFICER. Who yields time to the Senator from Virginia?

Mr. MAGNUSON. I yield 2 minutes to the Senator.

Mr. BYRD of Virginia. Mr. President, I am sympathetic with what the Senator from Delaware is seeking to accomplish. I am prepared to vote to eliminate any unneeded buildings.

But it seems to me that the amendment of the Senator from Delaware would be putting into the hands of the President of the United States an additional weapon that could be used to the disadvantage of the Senators from the States that would be affected by the proposed legislation—the same argument which has been made by the senior Senator from Washington and the senior Senator from Massachusetts.

The State of Virginia would not be affected by the proposed legislation. The only proposal concerning the State of Virginia is an FBI Academy at Quantico. So, as a practical matter, the State of Virginia would not be affected by the proposed legislation.

However, I am not willing to vote for an amendment that would require, for example, the Senator from Rhode Island, the Senator from Tennessee, the Senator from Texas, the Senator from Missouri, the Senator from New Hampshire, and the Senators from the other States which are affected by this bill, 23 States in all, to go with hat in hand to the President of the United States and say, "Please give me this building which the Congress has said is needed." I do not believe that is a desirable thing to do. I do not believe such a proposal would strengthen the hand of the Congress; indeed it would weaken it.

Many people believe that the President of the United States has too much power now, and it occurs to me that this legislation would give him additional power; and for that reason, I expect to oppose the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I ask that I may be permitted to proceed for 1 more minute.

It is not my intention that the Senators go hat in hand to the President to get their projects. It is not my intention that the President approve these buildings on the basis of how much pressure he has received. The only building that possibly could be approved would be one that was certified as essential to be constructed in the national interest, to win this war. Otherwise, we would postpone the rest of them. For example, post offices and many of the other buildings, such as the tax courts, would not fall into that category.

So far as it costing more money later to build them, the only reason it would cost more money later——

The PRESIDING OFFICER. All time has expired. The yeas and nays have been ordered.

Mr. MUNDT. Mr. President——

The PRESIDING OFFICER. All time has expired.

Mr. ALLOTT. Mr. President, I yield 2 minutes to the Senator from South Dakota.

Mr. MUNDT. Mr. President, when the Senator from Delaware first discussed his proposal, I must say that it had considerable appeal to this Senator from South Dakota. But the longer I have listened to the debate, the more convinced I have become that cranked into this proposal is what is virtually an item veto. Whether it is affirmative or positive is not important. It operates in that fashion.

Many times, under both Republican and Democratic administrations, I have opposed anything moving in the direction of an item veto for the Executive. The country is going through this experience now with the White House. The White House withheld for many months a number of fine watershed projects because the White House had decided that it should have the right to decide whether or not, after Congress has approved them by the ordinary processes, it should be the branch of Government to provide the final OK, which for 12 years has been exercised by the Appropriations Committees and by the Agricultural Committees of the Senate and the House.

Just 10 days ago, President Johnson said:

> This time I will permit those watersheds to go on, but never again. From now on, this is to be an Executive privilege.

I do not like to see that Executive power grow to the extent where it can say "yes" or "no" on projects of importance to the people, which have been approved by the Congress, so I shall vote "no" on the proposal of the Senator from Delaware.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment of the Senator from Delaware. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Montana [Mr. METCALF], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from Tennessee [Mr. BASS], the Senator from Arizona [Mr. HAYDEN], and the Senator from Alabama [Mr. HILL] are necessarily absent.

I further announce that, if present and voting the Senator from Alaska [Mr. BARTLETT], the Senator from Tennessee [Mr. BASS], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from Alabama [Mr. HILL], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Maryland [Mr. TYDINGS], and the Senator from Montana [Mr. METCALF] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent because of illness.

The Senator from Iowa [Mr. MILLER] is necessarily absent.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Iowa [Mr. MILLER]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Iowa would vote "nay."

The result was announced—yeas 11, nays 77, as follows:

[No. 193 Leg.]

YEAS—11

| | | |
|---|---|---|
| Aiken | Javits | Proxmire |
| Cooper | Lausche | Thurmond |
| Dirksen | Morton | Williams, Del. |
| Douglas | Prouty | |

NAYS—77

| | | |
|---|---|---|
| Allott | Cannon | Eastland |
| Anderson | Carlson | Ervin |
| Bayh | Case | Fannin |
| Bible | Church | Fong |
| Boggs | Clark | Griffin |
| Brewster | Cotton | Gruening |
| Burdick | Curtis | Harris |
| Byrd, Va. | Dodd | Hart |
| Byrd, W. Va. | Dominick | Hartke |
| Hickenlooper | McGovern | Russell, S.C. |
| Holland | McIntyre | Russell, Ga. |
| Hruska | Mondale | Saltonstall |
| Inouye | Mouroney | Scott |
| Jackson | Montoya | Simpson |
| Jordan, N.C. | Morse | Smathers |
| Jordan, Idaho | Moss | Smith |
| Kennedy, Mass. | Mundt | Sparkman |
| Kennedy, N.Y. | Murphy | Stennis |
| Kuchel | Muskie | Symington |
| Long, Mo. | Nelson | Talmadge |
| Long, La. | Pastore | Tower |
| Magnuson | Pearson | Williams, N.J. |
| Mansfield | Pell | Yarborough |
| McCarthy | Randolph | Young, N. Dak. |
| McClellan | Ribicoff | Young, Ohio |
| McGee | Robertson | |

NOT VOTING—12

| | | |
|---|---|---|
| Bartlett | Fulbright | Metcalf |
| Bass | Gore | Miller |
| Bennett | Hayden | Neuberger |
| Ellender | Hill | Tydings |

So the amendment of Mr. WILLIAMS of Delaware was rejected.

Mr. ALLOTT. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. MAGNUSON. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 735

Mr. YOUNG of Ohio. Mr. President, I call up my amendment No 735 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The assistant legislative clerk read the amendment, as follows:

> On page 39, line 24 strike out "$66,100,000" and insert in lieu thereof "$56,185,000".
> On page 40, line 11, strike out "$35,000,000" and insert in lieu thereof "$29,750,000".

Mr. YOUNG of Ohio. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. YOUNG of Ohio. Mr. President, briefly stated, my amendment will cut the civil defense appropriation by 15 percent and mean a savings of $15,165,000 of taxpayers' money. It would reduce the recommended appropriation for operation and maintenance from $66,100,000 to $56,185,000 and the appropriation for research for shelter survey and marking from $35 million to $29,750,000.

In the budget for fiscal year 1967, officials of the Department of Defense requested $133,400,000 for civil defense purposes. The House of Representatives cut this by $32,300,000 and the Senate Committee on Appropriations has recommended the amount approved by the other body.

Mr. President, may I say at the outset that in my judgment this entire program should be scrapped. However, being a realist I have offered a modest amendment which at least would save more than $15 million for the taxpayers of this Nation.

The civil defense squandering over the years has been an unconscionable waste of taxpayers' money. However, I have been a Member of the Congress long enough to know that these petty bureaucratic empires do not crumble easily. Once entrenched, these bureaucrats—such as those now operating the so-called civil defense program—are as tenacious as the Bourbons of France, the Romanovs of Russia, or the Hapsburgs of Austria.

In fact, had these royal families studied the methods of entrenched bureaucrats, they might still be on their thrones.

Over the past 15 years, more than $1,500 million of taxpayers' money has been foolishly wasted on silly civil defence schemes. Today, 21 years after Hiroshima, the United States has no civil defense worthy of the name. Most of what exists consists of absurd plans on paper; the rest is confusion.

Throughout the years while this Nation and the Soviet Union were building up our nuclear capacities, Congress appropriated these huge funds for civil defense in piecemeal fashion but not for any really serious or effective plan of action. Actually, we were soothing our consciences just in case a nuclear war would come. Year after year we appropriated $150 million or $100 million or $80 million for civil defense purposes, always "just in case." It was only human to grasp at straws when faced by an overwhelmingly difficult situation, and in appropriating these funds which gradually began to total a staggering sum, no one in his heart really believed that the civil defense fishnet would be of any protection in a surging sea of nuclear destruction.

The fact is that the possibility of nuclear war with the Soviet Union has greatly diminished. The threat of aggression on the part of the Soviet Union with nuclear missiles is practically nonexistent. There is no other nuclear power in the world today capable of showering missiles with nuclear warheads on our cities. Our nuclear capability for instant retaliation is so overwhelming we could annihilate 100 million Russians, destroying their cities and air and missile bases in a matter of hours. Who are these fallout shelters designed to protect us from? Albania?

Does Defense Secretary McNamara, who talks economy sometimes, but who tolerates the civil defense boondoggle in his Defense Department, really believe Red China with its crude nuclear capability threatens the United States with a nuclear attack?

The Soviet Union, veering toward capitalism—now bitterly hostile toward Red China—no longer threatens Western Europe or our Nation as it did when Stalin was dictator in that grim cold war period directly following World War II. The Soviet Union is now a "have" nation—very definitely no longer a have-not nation. Our former colleague, Senator Barry Goldwater, made many wise statements in 1964. Possibly the wisest statement was a prediction he made in October 1964. Senator Goldwater, candidate of his party for the Presidency, said:

> Within 10 years the United States may be involved in war against Communist China and if that occurs I predict the Russians will fight as allies on our side against Red China.

Mr. President, again the Senate will hear the old time worn argument that we must have at least a minimum civil defense program "just in case." Last year more than $106 million was spent on the civil defense boondoggle. Does this Nation have any more civil defense in the event of a nuclear attack than we had a year ago? Is any American one whit safer today in event of a nuclear holocaust than he was 15 years ago when this boondoggle began? The answer to both questions is an emphatic "no."

Public apathy regarding our civil defense program could not be greater. The truth of the matter is citizens have completely lost faith in the civil defense boondoggle.

The facts are that in New York City, our largest and most densely populated city, officials last year abolished its civil defense program, following the example of other great American cities such as Portland, Oreg.; Los Angeles, Calif., and Baltimore, Md., where civil defense programs and expenditures have either been completely discarded, or ignored to the point where for all practical purposes they have been abolished.

The committee has recommended $35 million for research for shelter survey and marking. Simple arithmetic proves that any fallout shelter program large enough to be meaningful—if such a thing is possible—would cost many billions of dollars. Those favoring a massive fallout shelter building program have estimated that it would cost anywhere from $20 to $200 billion. In their book "Strategy for Survival," Thomas L. Morton, dean of the College of Engineers at the University of Arizona, and Donald C. Latham, an electronics researcher, concluded that a national community shelter program would cost in excess of $37 billion. Herman Kahn, one of the foremost proponents of fallout shelters, has estimated that a reasonable program might involve a gradual buildup from about $1 billion annually to somewhere in the neighborhood of $5 billion annually. Prof. John Allman, chairman of the department of management of Hofstra College, estimates the cost as high as $302 billion. Regardless of which of the expert opinions is cited, the price tag would be astronomical. Even then, there is no guarantee that a shelter program would be at all effective. With extensive advances being made in rocket and nuclear technology and in chemical and biological warfare, it would probably be obsolete before completion.

Meanwhile, civil defense bureaucrats regularly continue to mark private and public buildings with black and yellow signs designating them as fallout shelters and stocking them with so-called survival biscuits while the general public pays no attention, simply ignoring this boondoggling. All this at a cost of more than $20 million a year.

Mr. President, there is no civil defense shelter building program in Great Britain, France, West Germany, or any of the major Western European powers. Reliable observers in the Soviet Union report that there is no fallout shelter program in Russia. Henry Shapiro, dean of the American correspondents in Moscow, wrote:

> No foreigner here has seen any civil defense shelters. The average citizen is unaware of the existence of shelters.

Preston Grover, of the Associated Press, took a similar position when he stated:

> Attachés from embassies who have looked around the country for sign of shelters have found nothing. Foreigners live in many of the newest buildings put up in Moscow, and they have no bomb shelters.

The New York Times a few years ago published a report from Moscow by Harrison Salisbury which stated:

> About 12,000 miles of travel in the Soviet Union by this correspondent in the last 4 weeks failed to turn up evidence of a single Soviet bomb shelter * * * Diplomats, foreign military attachés, and correspondents who have traveled widely in the Soviet Union report that there is no visible evidence of a widespread shelter program.

The committee has recommended more than $66 million for operation and maintenance of the civil defense organization. Almost 800 employees now work in the civil defense division of the Department of Defense. Of this number nearly half receive from $13,700 a year up to $27,000 a year. The average salary of all civil defense employees in the Department of Defense is more than $11,800 a year. Officials and employees of the FBI receive an average of $8,700 a year and in the National Aeronautics and Space Administration—an agency with many scientists and highly skilled technical personnel—the average salary for officials and employees is approximately $10,300 a year.

I am sure that our Nation will be able to continue to struggle along if it should be necessary that some of these high salaried civil defense bureaucrats are dismissed or transferred to Federal agencies where they can perform a needed public service.

Mr. President, unfortunately, too few Governors, mayors, and county commissioners can resist the temptation of Federal matching funds to provide in many cases a comfortable haven in the political storm for political hacks and defeated officeholders. Frequently we Senators receive calls and letters from mayors and other municipal officials requesting assistance in having their applications for public works and other Federal projects expedited. At the same time, the Federal Government is encouraging these officials to spend millions of taxpayers' dollars for civil defense employees and on ridiculous civil defense programs. If we cut off the head of the bureaucratic octopus in Washington, its wasteful satellites in States and cities will soon wither away.

Mr. President, one example of a civil defense boondoggle is the shocking fact that there are 2,644 civil defense hospitals presently in storage throughout the Nation. Each contains 200 beds for a total of 528,800 hospital beds, rotting and mildewing in civil defense storage facilities. These emergency hospitals, so-called, have cost taxpayers $75 million. In Ohio alone there are 119 of these hospitals stored away. In Ohio a recent investigation of two of these stored hospitals revealed that thousands of dollars worth of medicines had wasted away while the usefulness of even greater amounts is rapidly expiring. Hospital beds and other equipment have been rotting away from mildew and neglect.

This same intolerable situation exists in other States, and is just one more example in a long list of silly schemes and

unworkable programs concocted by boondoggling civil defense officials. Think of the good will we would engender in Asia were we to donate these hospitals to civilian authorities of South Vietnam and other nations in southeast Asia. Without a doubt thousands of these hospital beds and other equipment could be put to good use by our Medical Corps officials in Vietnam and elsewhere in the Far East.

Mr. President, by adopting my amendment $15 million can be saved without in any way impairing our national security or vital public services. Here is a way for Senators who favor economy to show they mean what they say. I do not know of a single proposal whereby we could more clearly demonstrate our desire for economy and to save taxpayer's money.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I yield to the distinguished senior Senator from Illinois.

Mr. DOUGLAS. Do I understand that the Senator from Ohio is proposing to cut approximately 15 percent in the total appropriation for civil defense?

Mr. YOUNG of Ohio. Yes. My amendment would reduce the amount by that modest amount.

Mr. DOUGLAS. The present bill does not contain provision for construction of fallout shelters?

Mr. YOUNG of Ohio. No.

Mr. DOUGLAS. But simply research, survey, and marking.

Mr. YOUNG of Ohio. Marking them with those silly yellow and black marks.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. ALLOTT. Mr. President, I yield myself such time as I may use.

This amendment, of course, should be defeated. I would like to call the attention of Senators to the fact that last year we provided $106 million-plus for this particular item. The budget this year was $133.4 million. That was cut by the House to $101,100,000. The Senate committee stayed with the House figure on that amount.

I have spoken in behalf of this item several times in past years on the floor of the Senate. It simply makes no sense at all to spend $60 billion a year on national defense, even granting that some $15 billion of that may be going to the Vietnam war, or perhaps $20 billion a year, and not to spend an absolutely minimum amount for civil defense.

It makes it appear to the rest of the world—and particularly those countries at whom we look with the most jaundiced eyes—our Soviet friends and the Red Chinese—that we are minimizing our civil defense to a point where it would seem we do not even consider that we have a problem.

But, Mr. President, if we ever come to that unfortunate time when we get into a ballistic missile war, by our civil defense preparations we will save many, many lives which we would otherwise forfeit.

I have only one further thing to say. The total civil defense budget amounts to only one and one-third hundredths of 1 percent of the total defense budget. It seems to me—and the committee has reviewed the matter very carefully—that this is the minimum that we can do.

I am ready to yield back the remainder of my time, and I do, and call for a vote.

Mr. YOUNG of Ohio. Mr. President, before the Senator does so, will the Senator yield me 2 minutes?

Mr. ALLOTT. Mr. President, before yielding back the remainder of my time, I yield 2 minutes to the distinguished Senator from Ohio.

Mr. YOUNG of Ohio. Mr. President, if my amendment is not agreed to, it is contemplated by these civil defense bureaucrats, who put in their time in the Pentagon sending messages back and forth to one another, devising shelter programs, and putting in orders for so-called survival biscuits—that they will add 117 more officials and employees to their already overstaffed agency. I have shown that their average salary exceeds that of the FBI, and even that of NASA, where so many scientists are employed.

Let us come back to the fundamental point. The distinguished Senator from Colorado said, "if we ever come to that unfortunate time when wet get into a ballistic missile war," our defense preparations will save lives.

Those of us who have been in the great subway in London know that there is not a civil defense sign in it. We know there is no civil defense program in any of the cities which are closest to the Soviet Union, the only nation which could possibly threaten us with nuclear war. The truth is that after spending more than $1 billion, this country has no civil defense worthy of the name. Of all the bureaucrats in our Government, the high-salaried civil defense people in the Pentagon and the Department of Defense are receiving the most for doing the least. I hope, Mr. President, that my modest amendment will be agreed to.

Mr. DOUGLAS. Has the Senator asked for the yeas and nays?

Mr. YOUNG of Ohio. The yeas and nays have been ordered.

The PRESIDING OFFICER. Does the Senator from Colorado yield back the remainder of his time?

Mr. ALLOTT. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Ohio. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Mississippi [Mr. STENNIS], and the Senator from Maryland [Mr. TYDINGS], are absent on official business.

I also announce that the Senator from Tennessee [Mr. BASS], the Senator from Arizona [Mr. HAYDEN], the Senator from Alabama [Mr. HILL], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Virginia [Mr. ROBERTSON], are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Tennessee [Mr. BASS], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from Alabama [Mr. HILL], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Maryland [Mr. TYDINGS], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent because of illness.

The Senator from Iowa [Mr. MILLER] is necessarily absent.

The Senator from Michigan [Mr. GRIFFIN] is detained on official business.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Iowa [Mr. MILLER]. If present and voting, the Senator from Utah would vote "nay" and the Senator from Iowa would vote "yea."

The result was announced—yeas 27, nays 59, as follows:

[No. 194 Leg.]

YEAS—27

| | | |
|---|---|---|
| Byrd, Va. | Hartke | Nelson |
| Cannon | Kennedy, Mass. | Proxmire |
| Church | Kennedy, N.Y. | Randolph |
| Clark | Lausche | Smathers |
| Douglas | Mansfield | Talmadge |
| Eastland | McGovern | Thurmond |
| Fannin | Metcalf | Williams, N.J. |
| Fulbright | Morse | Williams, Del. |
| Gruening | Moss | Young, Ohio |

NAYS—59

| | | |
|---|---|---|
| Aiken | Hart | Mundt |
| Allott | Hickenlooper | Murphy |
| Anderson | Holland | Muskie |
| Bayh | Hruska | Pastore |
| Bible | Inouye | Pearson |
| Boggs | Jackson | Pell |
| Brewster | Javits | Prouty |
| Burdick | Jordan, N.C. | Ribicoff |
| Byrd, W. Va. | Jordan, Idaho | Russell, S.C. |
| Carlson | Kuchel | Russell, Ga. |
| Case | Long, Mo. | Saltonstall |
| Cooper | Long, La. | Scott |
| Cotton | Magnuson | Simpson |
| Curtis | McCarthy | Smith |
| Dirksen | McClellan | Sparkman |
| Dodd | McGee | Symington |
| Dominick | McIntyre | Tower |
| Ervin | Mondale | Yarborough |
| Fong | Monroney | Young, N. Dak. |
| Harris | Morton | |

NOT VOTING—14

| | | |
|---|---|---|
| Bartlett | Griffin | Neuberger |
| Bass | Hayden | Robertson |
| Bennett | Hill | Stennis |
| Ellender | Miller | Tydings |
| Gore | Montoya | |

So the amendment of Mr. YOUNG of Ohio (No. 735) was rejected.

Mr. MAGNUSON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. INOUYE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MUNDT. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 18, line 14 add the following: *"Provided, however,* That the funds made available for the Labor Department building shall not be available for expenditure until the General Services Administration certifies to Congress that construction of the

Inner Loop Freeway has been agreed upon and is to be constructed in a plan which will involve the site of the proposed Labor Department buildings."

Mr. MUNDT. Mr. President, I think I can explain the amendment in perhaps a minute or two.

I feel confident that the managers of the bill will accept the amendment because it carries out the understanding which we had in the Appropriations Committee at the time it was decided to appropriate $12,433,000 for the substructure of the Labor Department building.

I was among those who voted "No" when we had a close vote, 43 to 42, on eliminating some of these buildings.

I felt that it would be wise to construct this building at the time we think it will be constructed, because this language would provide for it to be constructed, at the same time they do the work on the inner loop freeway.

It would save the country a tremendous amount of money as compared with having the building constructed later. Eventually we will have a Labor Department building.

It seems wise to build the foundations of that building at the time we build the inner loop freeway, if the inner loop freeway is built as presently contemplated, because this would be on the same site and thus eliminate a vast amount of reconstruction and revamping of the foundation structures and the freeway facilities.

It would be penny wise and pound foolish to start building each of the structures at a different time.

The language of this amendment simply brings them into compliance so that both projects will be constructed at the same time. The amendment withholds this appropriation until such time as we are sure that the inner loop freeway is being constructed in that area and has a relationship to the Labor Department building.

I believe that this amendment will be accepted.

Mr. MAGNUSON. Mr. President, we discussed this in committee. We did intend to have a directive such as this, but the report is not quite as specific as is this amendment. I think it is a clarifying amendment and I would be glad to accept it.

Mr. MUNDT. May I say, Mr. Chairman, that really this language should be attributed to the distinguished senior Senator from Georgia, who came up with the idea during the committee hearings. We thought it would be reflected in the report—and he joins me in this amendment.

Mr. MAGNUSON. The Senator from Georgia desired this type of amendment in the report.

The PRESIDING OFFICER. Is all time yielded back?

Mr. MUNDT. I yield back my time.

Mr. MAGNUSON. I yield back my time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the amendment of the Senator from South Dakota.

The amendment was agreed to.

Mr. TOWER. Mr. President, I send to the desk an amendment and ask that it be stated.

The LEGISLATIVE CLERK. On page 45, beginning with line 11, strike out all through line 4 on page 46, as follows:

RENT SUPPLEMENT PROGRAM

For rent supplement payments authorized by section 101 of the Housing and Urban Development Act of 1965, $2,000,000: *Provided,* That the limitation otherwise applicable to the maximum payments that may be required in any fiscal year by all contracts entered into under such section is increased by $20,000,000: *Provided further,* That no part of the foregoing appropriation or contract authority shall be used for incurring any obligation in connection with any dwelling unit or project which is not either part of a workable program for community improvement meeting the requirements of section 101(c) of the Housing Act of 1949, as amended (42 U.S.C. 1451(c)), or which is without local official approval for participation in this program.

Mr. TOWER. Mr. President, this amendment would cut from the bill the funds for the controversial, unproved rent supplement program.

It is time for us to make and implement decisions where inflation is concerned. There are many things we might like to spend money for, but inflation will no longer permit the fiscal and deficit luxuries of the past. Inflation demands of us that we set priorities and fund only the most necessary and proven projects.

Consumer prices are at the highest point in our Nation's history. The dollar is at its lowest value in our Nation's history. Interest rates are at their highest in 36 years. Loan money is critically tight. And, in the face of these ominous trends we are running another deficit Federal budget.

Instead of a sham war against inflation, let us do something meaningful to cut Government spending. And, if we must cut, let us cut first those new projects which might be nice but are not necessary.

Commerce Secretary John T. Connor, in a recent letter to corporation heads, enjoined them to "exercise reasoned restraint in purchasing, inventories, pricing and in deferring capital expenditures wherever possible."

In an address before the National Legislative Conference of Cities, the President of the United States announced recently that he has requested every executive department and agency to review and carefully examine how we can defer, stretch out or postpone any expenditures.

Mr. President, I support the President of the United States, and I submit that this is not a necessary expenditure. It is a new start, and at this time we should carefully scrutinize any new starts. It is an unproven program, and I honestly believe that we in Congress must be selective.

It is necessary that we act as shrewd managers of the purse strings in this time of inflation. We should strike from this bill this unproven rent supplement program. We can reconsider it at a future date when our monetary situation has stabilized.

I urge the adoption of this amendment, and I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. MAGNUSON. I yield such time as the Senator from Rhode Island desires.

Mr. PASTORE. Mr. President, I suppose I could say to the Senate that this is an old chestnut. It is one of the most talked about proposals and one of the least understood programs ever advanced to Congress.

Mr. President, we went through this matter thoroughly last spring. Our subcommittee went through this whole matter very exhaustively before the subcommittee and then again before the full committee. We took a record vote each time, and each time we voted to retain the program in the bill as a matter of record all we have done in our committee is to sustain the House.

It has been said here that this program has not proved itself. Mr. President, I believe that this constitutes one of the best programs ever conceived to fight poverty in this Nation. It should be more so that it could do more. It is regrettable that we cannot make it as extensive as we would desire to make it and as conditions require in order to be more effective in eliminating poverty throughout this land.

We have expended millions upon millions of dollars for a public housing program. That is all for the best. What is being attempted here is to encourage nonprofit organizations to rehabilitate existing housing, to make it habitable for people, and to build new housing, if possible, realizing that each unit will cost such a sum as to require a rent much more than the particular family can afford to pay. Is is absolutely important to understand that—to appreciate that—and to meet the condition so created.

For whom is this program destined? It is destined, No. 1, for people who are eligible for public housing. They must pay out of their own salary, out of their own income, one-quarter of their monthly income as their share of the fair rent. If the cost of rehabilitating the unit requires a rent beyond that the family can afford to pay, then we subsidize the remainder of the rent to the value that it cost the organization, on a nonprofit basis, either to build or to rehabilitate.

Mr. President, who are the people who came to testify before our committee? They were members of the clergy, for the most part; dedicated people who are living close to this scourge that plagues our society. They came before our committee, very sincerely—very simply—yet very dramatically and very emphatically stating their case.

If ever I believe in the efficacy and in the necessity of a program, this is it. It is regrettable that all the Members of Congress could not sit with that committee to hear the testimony from these people first hand.

What are we to do? The first year, we authorized $12 million. Out of that $12 million we already have proposals to take care of 9,900 family units—9,900

family units, up to $6 million. These proposals are being advanced by religious organizations, by philanthropic organizations and other nonprofit organizations.

All that would be done here would be to authorize a new amount of $20 million. It is our hope that with the present $12 million we will accommodate 20,000 families. Better than that, of course, when we pass the appropriation of $20 million, it will be accommodation for an additional 38,000 families.

Mr. President, it has been said that the adoption of this amendment denying these homes to the needy is the way to balance the budget. I say to you, it would unbalance humanity in our own society.

The need for this program is already pressing. Rehabilitation has already been begun on some premises so drastically needed they will have to be occupied by these people; and when they move in, the rent for each unit will be so high that some of these people can not possibly afford to pay it. So what would be the result? Delinquency would be encouraged, dropouts would be encouraged, and the fruit of delinquency and despair means reformatories and prisons will be built instead of housing. The testimony of the clergy, Mr. President, provided a dramatic feature that convinced me beyond all else. Because these church groups will be active in this environment. These people renting will receive friendly services that will help them to maintain a good social status and will help them to escape despair and eliminate delinquency.

Mr. President, I believe that this is a tremendously worthwhile program, and that it should be given a fair chance.

We did not advance or increase in any way the action of the House. All we propose to do is to go along with the House. Certainly, we should not do less.

I say to my colleagues that if they mean to fight poverty in this Nation, this is a step in the right direction.

I hope that this amendment will be defeated.

Mr. MAGNUSON. Mr. President, will the Senator yield for a question?

Mr. PASTORE. I yield.

Mr. MAGNUSON. The Senator from Rhode Island mentioned that no one is eligible for these units except those who would be eligible for public housing.

Mr. PASTORE. That is under the first requisite.

Mr. MAGNUSON. Would the Senator inform the Senate, as he can do so well, what else these people must do?

Mr. PASTORE. First of all, the person must be displaced, after he is eligible under the public housing program, which means that he has to be poor.

Mr. MAGNUSON. Very poor.

Mr. PASTORE. Then he has to be a person displaced by the same governmental action.

In other words, if we have an urban renewal program, and we displace all of these people and they have no place to go, what do they do? They descend from one ghetto to another ghetto. How much worse is it if the second ghetto does not exist? An alternate condition is that one of the members of the family—one of the spouses—has to be over 62 years of age. Or it may be that one of the spouses is paraplegic and has to live in a slum area.

If any program ever was intended for the poor, this rent supplement program is it. I hope that there is enough compassion, and I hope that there is enough understanding on the part of the Senate to realize that this is a good program.

I hope that the amendment is defeated.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the RECORD following the statement of the Senator from Rhode Island [Mr. PASTORE] a letter from the Secretary of Housing and Urban Development making an up-to-date report on the program, the amount of rent supplements involved, and the number of units that are under contract authority.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT,
*Washington, D.C., July 14, 1966.*

Hon. WARREN G. MAGNUSON,
*Chairman, Independent Offices Appropriations Subcommittee, Committee on Appropriations, U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: During the recent appropriation hearings in connection with testimony on the Rent Supplement Program, the Committee requested the Department to furnish a report on the reservations made under the initial contract authority of $12 million granted for the program. As of June 30, preliminary fund reservations had been made for a total of 91 projects involving 8,852 rent supplement units at an aggregate amount of contract authority for rent supplements of $5,436,170. The projects are located in 33 states and Puerto Rico. A tabulation by states is enclosed. In addition, we had on hand on June 30 requests for approximately $9 million in projects pending the receipt of further information and evaluation. Additional requests are being received daily.

The projects for which funds have been reserved are typically in a preliminary stage of development. As the projects proceed through later stages of development and processing, we may expect some adjustments and changes. We are reserving funds for additional projects on a daily basis as information concerning them is received and evaluated. I expect that we shall have reserved most of the balance of the initial $12 million of contract authorization in the near future.

The Committee also asked to be advised of our employment plans under the requested administrative expense appropriation for this program. Assuming approval of the rent supplement appropriation for administrative expenses in the amount of $900,000, we expect to use 75 man years of employment under this appropriation during fiscal year 1967.

Senator ALLOTT had expressed a particular interest in receiving the above information concerning the status of the Rent Supplement Program. We are, therefore, also sending this information by letter to Senator ALLOTT.

Sincerely yours,

ROBERT C. WEAVER.

Mr. MAGNUSON. Mr. President, I have nothing further to add except the part of the program mentioned by the Senator from Rhode Island [Mr. PASTORE], and that also appeals to me.

We are trying to take this problem, that we have to take care of in any event, from public housing, in its literal sense, and place it into private enterprise where people will build these buildings. This is a switch back to take care of this matter under private enterprise. It has worked out so far and I think we should give it a further chance with the modest amount that we have in the bill.

Mr. TOWER. Mr. President, I yield myself 3 minutes.

Mr. President, if I thought that this supplemental payment for rent was going to be the panacea for all of our housing ills, was going to abolish slums, and reform schools, then I would champion this provision with as much vigor and dedication as the distinguished Senator from Rhode Island [Mr. PASTORE].

But I think we are deluding ourselves if we think that the rent subsidy program is going to solve the problem of the slums. The fact is that it is not; $22 million is not going to do it. The fact remains that this is an unproven program.

While we stand here and talk about having compassion for the poor, let us recognize that inflation robs the poor first, and that any constructive steps we can take to stabilize and make sound and responsible the fiscal policy of the Government of the United States is a step toward arresting and curbing inflation, which robs the poor, and robs from the rich, as well. The people who really suffer are the poor.

I think that we should look closely at these unproven programs and not engage in new starts, not just in this program, but in other programs as well, and take a constructive step toward changing a fiscal policy which causes inflation and tight money and is the source of most of our economic problems now. I think that we in the Senate must have the courage and discipline to do it.

The PRESIDING OFFICER. Who yields time?

Mr. ALLOTT. Mr. President, I yield myself 3 minutes under the bill.

Mr. President, as most Senators well know, I have supported this amendment, first in the subcommittee of the distinguished Senator from Rhode Island [Mr. PASTORE], in the full committee, then on the floor of the Senate, in the Subcommittee on Independent Offices, and in the full committee. On these occasions, I have voiced essentially the same thoughts voiced by the distinguished Senator from Texas [Mr. TOWER].

I, like he, would like to see our housing problems solved. My basic objection to the rent supplement is that while it may help a few, we are committing ourselves to a 40-year program for which the authorization is $100 million a year with the carryover.

This is not a substitute for anything else, and herein lies the nub of the problem. We are now putting into the budget, and in this bill for public housing programs, a total of $351 million. A part of that is for the elderly, but we are putting $250 million into public housing, per se.

In addition to that, we discovered at the hearings this year that the Department of Housing and Urban Development also has another program going, for which they have an annual subsidy of $754 per unit per year, in which they lease premises, sublease them to tenants, and then pick up the rental differential, which amounted in fiscal year 1966 to $1,743,750.

So we have all of these programs going. If there were any attempt to bring order out of that chaos, I might look at the rent subsidy in a different manner today than I do.

It is only for this reason that I rise to support the amendment of the distinguished Senator from Texas [Mr. TOWER]. This rent supplement might be the best way to handle our public housing problems, but we are not going to handle them by simply piling one program on top of another. That is what we are doing because we are keeping all of the old moneys in the bill and we have this rather modest amount, I must admit, but this is not what it is going to be in a year or 2 years from now. It is going to be a significant amount.

I support the amendment of the Senator from Texas [Mr. TOWER].

Mr. RUSSELL of Georgia. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. RUSSELL of Georgia. The distinguished Senator did not make clear that $250 or $260 million to which he referred for the present subsidy on public housing is a recurring item, and not just an annual item; but a recurring item and must be paid each year.

Mr. ALLOTT. The Senator is correct. I am sorry that I did not make that point clear.

The PRESIDING OFFICER. Who yields time?

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PASTORE. Mr. President, how much time do I have remaining in opposition?

The PRESIDING OFFICER. The Senator has 4 minutes remaining.

Mr. PASTORE. I yield 2 minutes to the Senator from New York [Mr. JAVITS].

Mr. JAVITS. Mr. President, there are not often many things around here about which a big city boy can testify. This is one of them. I am the product of a slum family, raised in a slum, which is more accurately described as a ghetto. I have personal knowledge and experience of what passions rage in the hearts of people who may be rioting, out of frustration and despair, because they live under the same circumstances, in the main, in which I was raised.

I understand the analysis of Senators with respect to the different types of programs, including public housing, that are in effect. The same tests could be applied to farm subsidies, farm roads, technical assistance to farmers, the Farm Credit Administration, the REA, and the enormous structure of items in that area, as well as the merchant marine, aircraft, and many other things. Mr. President, these analogies are not apt. These things must stand on their own.

Notwithstanding that, everything suggested has not been enough to adequately meet the issue. Since 1949 I have been concerned with public housing. I was a cosponsor of the Taft-Wagner bill in the other body.

The PRESIDING OFFICER. The 2 minutes of the Senator has expired.

Mr. JAVITS. Mr. President, I thought the Senator yielded 4 minutes to me.

Mr. PASTORE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Two minutes.

Mr. JAVITS. Mr. President, may I have 3 minutes on the bill?

Mr. ALLOTT. Mr. President, I yield 3 minutes to the Senator from New York [Mr. JAVITS].

Mr. JAVITS. I thank the Senator from Colorado [Mr. ALLOTT].

The fact is that it is not adequate and it has not been adequate. For some years we tried to find an alternate to public housing. It was felt—and it is true—that public housing is what you get out of it. Realizing that certain elements of it are more expensive, perhaps we should yield in some instances insofar as the size needed for the situation. So we came along with the rent supplement idea which I thought was the freshest, the newest, and the brightest idea to come upon the scene in all these 17 years.

Now, if it is a good idea—and I think it is—and even conservative Members, whom I have heard, point out that we have tightened up so materially on the requirements and methods of administration so as to make it a program with a fine set of criteria.

Therefore, let us try to do this with some degree of understanding of the problem. Let those, especially those who are so deeply concerned about conditions which produce violence and difficulty in the big cities, understand that we cannot cure it with mirrors, that we must have help. This is one of the most effective kinds of help we can have. I have testified to that as a witness, personally.

I hope that, therefore, matching our performance with our protestations, and trying to do something about the effort to meet an admittedly difficult and explosive situation, we do not take away one of the strong programs which can be useful in that regard and excuse ourselves on the ground that there are other programs—as I have pointed out, that is true in many other cases—but, rather, employ the means which looks very congenial to the situation; and realize that while I join every Senator in deep determination that law and order shall be observed in this country, that no one, whatever may be his frustration, shall be indulged in his unlawfulness, it is a fact that as Senators, it is our duty to deal with the legitimate difficulties, provided we can find a reasonable and proper remedy. The Senate has said, the House has said, and the President has said before, that this is a reasonable and proper remedy. I think it would be shocking and shameful if we do not do so.

Mr. PASTORE. Mr. President, I do not wish to delay the Senate, but the argument has been advanced this afternoon about balancing the budget and making our fiscal stability a thing of assurance.

Let me say to all Senators that we just got through voting for $5 billion—I repeat, $5 billion—to put a man on the moon. I suppose, when he gets there, our next worry will be as to how he will get off. But, here we are talking about an appropiation of a few million for the down-to-earth purpose of homes—homes to keep families together.

And we stand up and talk about fiscal stability.

Let us look at that budget—yes; there may be places where we can cut, but do not cut against the poor of this land—their hearts and their homes.

Those of us who have had intimate association and firsthand knowledge of this problem know how necessary a program of this kind is.

I hope that the amendment will be voted down.

Mr. TOWER. Mr. President, I yield back the remainder of my time.

Mr. PASTORE. Mr. President, I yield back the remainder of the time which I do not have.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas [Mr. TOWER].

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. YOUNG of North Dakota (when his name was called). On this vote I have a pair with the senior Senator from Louisiana [Mr. ELLENDER]. If he were present, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Tennessee [Mr. BASS], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from Arizona [Mr. HAYDEN] and the Senator from Alabama [Mr. HILL] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Tennessee [Mr. BASS], the Senator from Arizona [Mr. HAYDEN], and the Senator from Maryland [Mr. TYDINGS] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent because of illness.

The Senator from Iowa [Mr. MILLER] is necessarily absent.

If present and voting, the Senator from Utah [Mr. BENNETT] and the Senator from Iowa [Mr. MILLER] would each vote "yea."

The position of the Senator from North Dakota [Mr. YOUNG] has been previously announced.

The result was announced—yeas 38, nays 51, as follows:

[No. 195 Leg.]

YEAS—38

| | | |
|---|---|---|
| Allott | Fannin | Murphy |
| Boggs | Fong | Pearson |
| Byrd, Va. | Griffin | Robertson |
| Byrd, W. Va. | Hartke | Russell, S.C. |
| Cannon | Hickenlooper | Russell, Ga. |
| Carlson | Holland | Simpson |
| Cooper | Hruska | Stennis |
| Cotton | Jordan, N.C. | Symington |
| Curtis | Jordan, Idaho | Talmadge |
| Dirksen | Lausche | Thurmond |
| Dominick | McIntyre | Tower |
| Eastland | Morton | Williams, Del. |
| Ervin | Mundt | |

NAYS—51

| | | |
|---|---|---|
| Aiken | Javits | Moss |
| Anderson | Kennedy, Mass. | Muskie |
| Bayh | Kennedy, N.Y. | Nelson |
| Bible | Kuchel | Pastore |
| Brewster | Long, Mo. | Pell |
| Burdick | Long, La. | Prouty |
| Case | Magnuson | Proxmire |
| Church | Mansfield | Randolph |
| Clark | McCarthy | Ribicoff |
| Dodd | McClellan | Saltonstall |
| Douglas | McGee | Scott |
| Fulbright | McGovern | Smathers |
| Gruening | Metcalf | Smith |
| Harris | Mondale | Sparkman |
| Hart | Monroney | Williams, N.J. |
| Inouye | Montoya | Yarborough |
| Jackson | Morse | Young, Ohio |

NOT VOTING—11

| | | |
|---|---|---|
| Bartlett | Gore | Neuberger |
| Bass | Hayden | Tydings |
| Bennett | Hill | Young, N. Dak. |
| Ellender | Miller | |

So Mr. TOWER'S amendment was rejected.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COTTON. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment offered by the Senator from New Hampshire will be stated.

The legislative clerk read the amendment, as follows:

On page 15, line 14, strike out "$133,150,000" and insert in lieu thereof "$115,230,000", and on page 18, delete lines 11, 12, 15, and 16, and renumber the page accordingly.

The PRESIDING OFFICER. How much time does the Senator yield to himself?

Mr. COTTON. I yield myself 4 minutes.

Mr. President, the first vote today was on an amendment offered by the able Senator from Wisconsin [Mr. PROXMIRE], striking out appropriations for three Federal buildings in the District of Columbia and $1 million for facilities for the Secret Service.

Some of us were not able to arrive here to cast our votes on that amendment.

The PRESIDING OFFICER. The Senate will be in order.

Mr. COTTON. The amendment I am offering merely affects two of those buildings, the Federal Bureau of Investigation Building, in the amount of $11.321 million, and the Tax Court Building, in the amount of $6.6 million.

I want to make clear this amendment is not offered in a spirit of pique.

I am offering the amendment on behalf of myself and the Senator from Iowa [Mr. HICKENLOOPER], as both of us missed the vote on the previous amendment.

As I have said, the amendment is not offered in a spirit of pique. We did not arrive in time to vote, because we did not have timely notice of the vote, and before we could reach the Senate floor the regular order was called for.

In view of the fact that the regular order was called for, and since there was a difference of only one vote in the result, I felt it was logical for us to offer an amendment affecting at least two of the buildings, in order that we might have an opportunity to vote on the question.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. COTTON. Mr. President, the Senator from New Hampshire, who is on both the full Committee on Appropriations and this particular subcommittee, dislikes and normally would not employ this procedure, of simply voting on an amendment striking out funds for a building, without engaging in full debate. However, in this instance, I think the previous debate thoroughly explored the question.

I do want to stress my conviction that when we are engaged in a war, costing an estimated $2 billion a month, we could delay the construction of certain Government buildings in the District of Columbia, even though some inconvenience may be caused. I think the least we can do, if a building is not essential for the effective and efficient administration of Government, but would merely add to convenience and comfort, is to wait before we start new construction that will cost millions in additional funds.

That is the reason that I offered this amendment, and wished to support it when it was offered in different form earlier in the day. I believe the same principle is true as to repairs, changes, or new structures anywhere in the Capital, unless, of course, there are dangerous conditions which must be corrected in the interest of safety. I believe it is reasonable, logical, and responsible to delay and forgo any unnecessary building of huge administration buildings here in the Capital until the situation elsewhere with its tremendous demands on our resources is resolved.

I am sure that the distinguished chairman of the subcommittee, the Senator from Washington, with whom I serve on the Committees on Commerce and Appropriations had every right to proceed, and would not intentionally have deprived any of us of a vote; but in view of the fact that there was one vote difference on the previous amendment, and we did not have a chance to cast a vote, I wanted the opportunity, as did the Senator from Iowa.

I reserve the remainder of my time.

Mr. HICKENLOOPER. Mr. President——

The PRESIDING OFFICER. How much time is yielded?

Mr. COTTON. I yield 2 minutes to the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, I do not think I shall take 2 minutes. I merely wish to confirm the fact that I am a cosponsor of this amendment. At least two of us were not present when the vote was taken. We would like the opportunity to express ourselves; and on these two matters, I have joined with the Senator from New Hampshire, and urge the adoption of his amendment.

Mr. HRUSKA. Mr. President——

The PRESIDING OFFICER. Who yields time?

Mr. MAGNUSON. I yield 3 minutes to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, I am among those who allege that there were faulty bell signals earlier this afternoon when the Senate was summoned to vote on the amendment of the Senator from Wisconsin for the deletion of the four buildings here in the capital, to wit, the Secret Service facility, the Labor Department Building, the FBI Building, and the Tax Court Building. Had I been present on that occasion, I would have voted against that amendment. I am opposed to this amendment. I want to discuss the basic considerations that motivated the committee in approving these two buildings.

The Tax Court, Mr. President, needs adequate quarters, quarters separate from the Internal Revenue Service. It has neither at the present time.

The place which the Tax Court occupies presently and has for many years, was not designed for court use. It is not suited for the needs of the Tax Court. For some 15 years, this situation has been brought to the attention of Congress. Three years ago the building was finally authorized, Congress thereby indicating that it was convinced of the need for a new building.

The Tax Court needs separate and independent quarters. It is now housed physically in the same suite of offices and in the same building as the personnel of the Internal Revenue Service. What an incongruous situation that is. Every time the Court sits, those personnel participate in the Tax Court proceedings on behalf of the United States of America. So here we have the incongruous situation of a part of the judicial system not accorded the independence and separation to which it is entitled.

That condition has been called to the attention of Congress and of the Executive by the American Bar Association many times. The appropriation should be made so that construction can commence at an early date.

As to the FBI, we know what the inadequacy is there. That Bureau is now located in some nine locations. By having a single building, savings will be effected amounting to some $3½ million per year.

That building was authorized 4 years ago. The site has been acquired, and it is ready to accommodate the new building. A contract could be let next spring, because the plans will be completed in February.

The fact is that funds for construction were included in GSA's 1966 budget request, but were deleted because of the delay in completing the drawings and

specifications. The funds were included in the 1967 budget request, but were stricken by the House of Representatives.

In 1966, the conferees stated in their report:

> A request for funds will be considered in a supplemental or regular annual appropriation bill if or when the GSA is ready to let contracts.

So that leaves them at a juncture where they are ready to let contracts within a reasonable time after this appropriation bill becomes law, but now Congress says "Wait, there is a war, and we must be careful how we spend our money during a war."

No one will agree with that proposition more thoroughly than I. But, Mr. President, we are involved in several wars. We have a war on crime; and that is a war which we are fast losing. It is not like the situation that we might have elsewhere.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MAGNUSON. I yield the Senator from Nebraska 2 additional minutes.

Mr. HRUSKA. It is not like the situation that we have elsewhere; and I suggest that we pay some attention to that war on crime which we are fast losing. Consider the unsettled, riotous conditions and disorders in many of our cities. Only 2 weeks ago, a report issued by the FBI showed a figure of almost 2,800,000 serious crimes committed in this country during the calendar year 1965.

Here we have a building to house one of the chief law-enforcement agencies of the Nation. The duties and responsibilites being placed upon that agency are increasing almost every time we enact new laws. With that situation facing us the pending amendment should be defeated.

Mr. SCOTT. Mr. President, will the Senator yield 1 minute?

Mr. MAGNUSON. I yield 1 minute to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I was recorded on the vote on the amendment of the Senator from Wisconsin, but I merely rise to say that I do not mind being recorded again. I have missed a few votes because of illness or for other reasons, and welcome the opportunity to improve my batting average.

Mr. MAGNUSON. Mr. President, I yield myself 1 minute.

Mr. President, these items were discussed at length this morning. I do not believe there is any necessity to dwell on them in detail now. I say to the Senator from New Hampshire, I was hopeful that the items included in the amendment of the Senator from Wisconsin would be presented as separate amendments for each item, because the need for the Tax Court and the need, so well expressed by the Senator from Nebraska, for beginning the FBI Building, are two different things. I had hoped that the matters would be presented in that way. The Senator from New Hampshire, in his amendment, has narrowed it down to two.

I do not believe that delaying the beginning of the FBI Building, involving a matter of $11 million, after it has been delayed so long, would help or hurt our economy one way or the other. That building will require a long time to construct. In addition, administrative expenses increase every year we delay beginning its construction. That would mean about a 12-year amortization of the building, for the total cost. What is involved here is merely the substructure and the site preparation. I hope it will not be knocked out.

The building for the Tax Court should have great priority. It involves an amount of $6.6 million. They have waited a long time. I do not believe the expenditure of that amount will help or hurt the economy one bit.

As a matter of fact, the public building program is very little when compared to the budget. It is, of course, minimal when compared to many other factors in the present state of economy of the country.

I do hope that the amendment will be rejected. We have discussed it over and over again. I do not know of any facts that I could add.

I think that generally what the Senator from New Hampshire says is correct. No one disagrees with that any more than he would disagree with what the Senator from Wisconsin had to say about the need to curtail expenditures in these times.

I think the committee has been very responsive to that need. Thirty buildings that have top priority have been cut out of the bill. We have to look at these buildings as individual problems.

I am sure that, having cut the buildings out of the bill, it will cost more money to begin the projects again. Delay will cost money.

We picked them out one by one and required what we thought was more than normal justification for these buildings.

We did the same with the buildings throughout the Nation.

Ninety buildings which qualified under very strict criteria were eliminated from the bill. These were buildings that are needed in this great, huge country of ours.

I am hopeful that the amendment will be rejected.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. SALTONSTALL. Mr. President, the amendment of the Senator from Wisconsin on which we voted today would cut out three of the four buildings.

Mr. MAGNUSON. The Senator is correct.

Mr. SALTONSTALL. It would leave in the Secret Service Building.

Mr. MAGNUSON. The Senator is correct.

Mr. SALTONSTALL. The amendment of the Senator from New Hampshire would cut out the Tax Court and the FBI Building and leave in the Secret Service Building and the foundation for the Labor Department Building.

Mr. MAGNUSON. The Senator is correct, the substructure for the Labor Department Building.

Mr. COTTON. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 2 minutes.

Mr. COTTON. Mr. President, in answer to the Senator from Massachusetts, the Secret Service project involved only $1 million. That is why I am not including that item in my amendment. The Labor Department matter involves only the building of a foundation and not a superstructure. It is considered necessary to proceed with initial construction because of a new highway going through that area which must be accommodated. That is the reason it is not included.

The distinguished Senator from Washington says that after they have waited all of these years, the expenditure of these few dollars will not shatter the economy. There is no suggestion that the economy will be shattered by this. However, after they have waited all of these years, it will not be a catastrophe if they are required to wait 1 more year, at a time when we have an escalating war that is costing more and more each day.

Bear in mind that $11,320,000 would be appropriated for the FBI Building. The building would ultimately cost $45 million. Even if funds were provided, they would not be able to move into and start to use the building next year. The building would just be started. Therefore, it would not relieve the pressure now. It certainly seems that after waiting all this time, it would not be disastrous to wait a little longer in a time of war.

It also should be borne in mind that in the very next paragraph of the bill there is provision that these appropriations can be exceeded this year, to the extent of not more than 10 percent of savings effected in other projects.

Remember that the President of the United States has been calling on private industry not to expand at this time. He has been asking that private industry refrain from building new plants and making other capital expenditures while we are under this pressure, because it is inflationary. If it is inflationary for private industry, which pays taxes into the public till, to expand, it is more inflationary to start constructing new superstructures in Washington, buildings which pay no taxes but simply contribute to the expenditure of money.

I yield 2 minutes to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 2 minutes.

Mr. MUNDT. Mr. President, I was among those who voted "no" an hour or two ago when, by a vote of 42 to 43, the Senate in my opinion wisely decided not to cut out all four of these buildings.

I shall vote "yes" on this amendment because we face an altogether different situation.

I voted no in the first place because the Labor Department substructure, which we have already discussed and which is buttoned down by an amendment that has been agreed to, must be started at the time the freeway construction is

started. That is economy since it avoids a duplication of effort.

The expenditure of $1 million for the Secret Service, for the General Services Administration, is not a major item. However, these other two buildings will eventually total a great amount of money.

What the Senator from New Hampshire says about the President urging the private sector not to engage in capital expenditures also holds for State governments. He has so recommended to the 50 Governors. He sent to the Governor of my State and the Governors of all other States a message urging them to slow down or curtail the expanding of public improvements which are not imperatively essential as of now.

Mr. President, it does not really help the war effort very much and it does not help to stop inflation very much for Senator after Senator to say: "There is a war. I know we are having an inflationary fire. Nobody believes in economy more than I, but not on this particular vote."

We have to start some place. While my good friend, the Senator from Nebraska, talks about the war in Vietnam and says that is not the only war, that there is a war on crime, I submit that a war on the American dollar is also being fought in this Nation.

We are restricted to building these buildings with borrowed money at a time when the U.S. Government is paying the highest interest rate in 45 years. So, there is economy in slowing down for awhile the starting of these buildings which admittedly are desirable and which can and should be built when our Government either has the money or can borrow it more advantageously.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MUNDT. Mr. President, may I have 1 additional minute?

Mr. COTTON. Mr. President, I yield 1 additional minute to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 1 additional minute.

Mr. MUNDT. Mr. President, nobody is in favor of crime, but even my genial friend, the Senator from Nebraska, does not believe that the war on crime is going to be fought in the office buildings in Washington, and especially not in a building that will not be ready for occupancy for several years. We can meet the same objective by starting the building next year and funding it more rapidly.

I submit to my colleague, who recognizes that there is a war going on which costs us approximately $2 billion a month, that he should also recognize that we now have to build the buildings with borrowed money at the highest interest rate in 45 years. He should recognize that this might be a good time to delay the building of two buildings which are obviously needed, but which do not have to be started now when our Federal finances are so critical.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. MAGNUSON. Mr. President, I never could understand why the Senator from South Dakota keeps talking about the building of any buildings with borrowed money. We have receipts coming into the Government. We do not borrow all the money. We borrow only the difference between the receipts and the expenditures.

Mr. MUNDT. At a time when we are already running into the red, the additional money has to be borrowed.

Mr. MAGNUSON. It would not have to be borrowed.

Mr. MUNDT. It is either borrowed or manufactured.

Mr. MAGNUSON. One hundred and fifty million dollars of receipts came in recently. That money can be used for the next fiscal year.

Mr. MUNDT. That is not enough to balance the budget.

Mr. MAGNUSON. The Senator is correct. However, we borrow the difference between the receipts and the expenditure. About 3 percent of the amount would have to be borrowed.

Mr. MUNDT. This has to be borrowed because it is added to a deficit already created.

The President called the members of the Appropriations Committee down to the White House and said: "Please spend less money." Here is a chance to work with the President in repairing the budget.

Mr. MAGNUSON. The President did not say any such thing. He called on private industry to curtail expenditures.

Mr. MUNDT. He called the members of the Appropriations Committee to the White House. The Senator was there.

Mr. MAGNUSON. He said: "Don't invest in capital expenditures that can be put aside for a certain period of time."

Mr. MUNDT. Expenditures such as these two buildings.

Mr. MAGNUSON. When we get right down to it, the whole argument is that it is not borrowed money. It is a question of whether it is good economy to set aside this particular substructure of the FBI Building. We have already spent $11 million for the land and other things that we had to do there. That is all that the vote is about.

Mr. COTTON. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. The Senator from New Hampshire has 4 minutes remaining.

Mr. COTTON. Mr. President, I yield 1 minute to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 1 additional minute.

Mr. MUNDT. We have made the issue pretty clear now. Those Senators who believe that we have this excess money to spend and it is not borrowed should vote "nay," and those who agree with me that we will have to pay this high rate of interest on this money, when the budget is not balanced, should vote "yea."

The PRESIDING OFFICER. Who yields time?

Mr. COTTON. I am ready to yield back my time and vote, if the Senator from Washington is also prepared to do so.

The PRESIDING OFFICER. Does the Senator from Washington yield back his time?

Mr. MAGNUSON. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

The question is on agreeing to the amendment of the Senator from New Hampshire. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. BARTLETT], the Senator from West Virginia [Mr. BYRD], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Georgia [Mr. RUSSELL], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from Arizona [Mr. HAYDEN] and the Senator from Alabama [Mr. HILL] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Alabama [Mr. HILL], and the Senator from Maryland [Mr. TYDINGS] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent because of illness.

The Senator from Iowa [Mr. MILLER] is necessarily absent.

If present and voting, the Senator from Utah [Mr. BENNETT] and the Senator from Iowa [Mr. MILLER] would each vote "yea."

The result was announced—yeas 51, nays 37, as follows:

[No. 196 Leg.]

YEAS—51

| | | |
|---|---|---|
| Aiken | Harris | Pearson |
| Boggs | Hickenlooper | Pell |
| Byrd, Va. | Javits | Prouty |
| Cannon | Jordan, N.C. | Proxmire |
| Carlson | Jordan, Idaho | Randolph |
| Case | Kennedy, Mass. | Robertson |
| Church | Kennedy, N.Y. | Russell, S.C. |
| Clark | Lausche | Saltonstall |
| Cotton | McGovern | Scott |
| Dirksen | McIntyre | Simpson |
| Dominick | Metcalf | Symington |
| Douglas | Mondale | Talmadge |
| Ervin | Morton | Thurmond |
| Fannin | Mundt | Tower |
| Fulbright | Murphy | Williams, Del. |
| Griffin | Nelson | Young, N. Dak. |
| Gruening | Pastore | Young, Ohio |

NAYS—37

| | | |
|---|---|---|
| Allott | Holland | Montoya |
| Bass | Hruska | Morse |
| Bayh | Inouye | Moss |
| Bible | Jackson | Muskie |
| Brewster | Kuchel | Ribicoff |
| Burdick | Long, Mo. | Smathers |
| Cooper | Long, La. | Smith |
| Curtis | Magnuson | Sparkman |
| Dodd | Mansfield | Stennis |
| Eastland | McCarthy | Williams, N.J. |
| Fong | McClellan | Yarborough |
| Hart | McGee | |
| Hartke | Monroney | |

NOT VOTING—12

| | | |
|---|---|---|
| Anderson | Ellender | Miller |
| Bartlett | Gore | Neuberger |
| Bennett | Hayden | Russell, Ga. |
| Byrd, W. Va. | Hill | Tydings |

So the amendment of Mr. COTTON was agreed to.

Mr. COTTON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MUNDT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CLARK. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 41, following line 25, insert the following:

"COMMUNITY DEVELOPMENT TRAINING PROGRAMS

"For matching grants to States for authorized training and related activities, and for expenses of providing technical assistance to State and local governmental or public bodies (including studies and publication of information), as authorized by title VIII of the Housing Act of 1964 (20 U.S.C. 801–805), to remain available until expended, $5,150,000: *Provided,* That not to exceed $150,000 of this appropriation shall be available for administrative expenses."

Mr. CLARK. Mr. President, I yield myself such time as I may require.

This amendment is cosponsored by Senators BREWSTER, HART, HARTKE, KENNEDY of Massachusetts, KENNEDY of New York, MOSS, MUSKIE, PROXMIRE, RIBICOFF, DODD, JAVITS, CASE, WILLIAMS of New Jersey, MCCARTHY, NELSON, SCOTT, GRIFFIN, LONG of Missouri, YARBOROUGH, MONDALE, INOUYE, YOUNG of Ohio, and MORSE.

Mr. President, this is an administration amendment. I am proposing it at the request of the Secretary of the Department of Housing and Urban Development. The purpose of the amendment is to fund an authorization unanimously adopted by the Committee on Banking and Currency as a part of the Housing Act of 1964, passed without controversy by the House of Representatives, passed without controversy by the Senate, and signed by the President. Both last year and this year, for reasons quite obscure to me, the Committees on Appropriations of both bodies have refused to appropriate 1 cent for this duly authorized program.

The purpose of the program is to make available to the States on a matching grant basis $5,150,000 for the purpose of assisting State, local, and other governmental bodies in training technical and professional personnel in the community development field. These are individuals whose skills are in short supply—as I can testify as chairman of the Subcommittee on Manpower, Employment, and Poverty. From all over the Nation we are receiving complaints from local operating officials about their need for more trained manpower to operate their programs of community development. Experts are badly needed in every field from transit to housing, and from urban redevelopment to zoning, if our efforts to rebuild our cities and metropolitan areas are to succeed.

These governmental units need more code enforcement officers, relocation specialists, public housing managers, neighborhood center staff workers, and land acquisition specialists, to name but a few of the skills in critical demand. There are presently no training programs to meet this very specialized need. The Higher Education Act does not cover them. The Manpower Development Training Act does not do the job. The poverty programs are too minimal.

The final report of the National Commission on Technology, Automation, and Economic Progress issued earlier this year made it clear that our public manpower needs in the next decade are great, and are not being filled.

Mr. President, I think that is about all I need to say on the amendment.

Mr. HOLLAND. Mr. President, will the Senator from Pennsylvania yield for a question?

Mr. CLARK. I have promised to yield to the Senator from Connecticut. After that, I shall be happy to yield to the Senator from Florida.

Mr. RIBICOFF. Is it not true that the bill provides for $642,392,000 in appropriations for the Department of Housing and Urban Development.

Mr. CLARK. The Senator is correct. How will we be able to administer the program if we do not have the skilled personnel to do it?

Mr. RIBICOFF. Is it not also true that one of the greatest problems facing the Nation today, one that is in the headlines of every newspaper across the country, is the great turmoil of the cities of America? Is it not only the large cities and the metropolitan areas, but also cities such as Omaha, Nebr.; Lansing, Mich.; and Cicero, Ill., that today are really "on fire"?

Mr. CLARK. Also Bridgeport, Conn., and Hartford, Conn.—and a score of other cities including Reading, Pa.; Allentown, Bethlehem, Easton, and the like. The Senator is obviously correct.

Mr. RIBICOFF. Mr. President, the committee recommendations do not provide funds for one important program—grants for community development training. As the problems of local government have become more complicated, so has the governmental machinery to solve them. And no machinery—no matter how sophisticated—can work without trained people to administer the programs and deal with the problems of our cities.

The money we appropriate—the programs we authorize to deal with the problems of urban America—will be of little avail without trained people with technical knowledge at the local level. By 1980, the Nation will need about 400,000 trained specialists working in American cities. Unless we begin to help those people now, they will not be there.

We hear much today about the need for effective cooperation between Federal, State, and local governments. If the Federal Government is not to carry the responsibility for doing most of the job in our cities—and I do not believe any of us want that—then we must take steps to make sure that city and local governments can contribute their share of the work.

No other Federal training program meets this need. Forty-three States have already indicated their interest in this proposal—and 20 States have already drawn up preliminary plans. In fact, there has never been any organized opposition to this program.

Through appropriations and legislation Congress has voted year after year, the Federal Government is spending some $25 billion directly or indirectly in the cities of America. These are Federal funds designed to help the cities in the national interest. If these funds are not being administered efficiently and effectively, then are we not wasting large sums of money which the taxpayers are paying for through their tax bills year in and year out?

Mr. CLARK. The Senator is correct. How can anyone administer a program without skilled personnel?

Mr. RIBICOFF. Is it not also true, as every Senator realizes, that much of our time is spent with representatives of cities who are not familiar with the many programs the Federal Government has set for them? We recognize that there is a lack of information and a lack of technical skill at the local level which in turn places this work upon the respective staffs of Senators connected with problems of cities and the Federal Government.

Mr. CLARK. The Senator from Connecticut probably has the same experience I do; namely, that people come in from local school districts, from the local housing authority, and from the county authority, who seem to be absolutely at a loss to know where to go in Washington. They do not understand the programs. They do understand that money is available, but they do not know how to go about getting it.

This amendment would give them an opportunity to get an adequate, minimal, and primary training so that they would know tomorrow far more than they know today.

Mr. RIBICOFF. Is it not correct to say that one of the problems regarding Federal programs, at least the problems in the cities, is that the Federal agencies in the cities sometimes are not even aware of the duplication in programs which takes place; that with all the money being spent in the cities, we should at least know how the money is being spent and how we can make the best use of it, and not waste the Federal dollars which are being spent in the cities. We would be short-sighted in not assuring the proper utilization of Federal dollars going into the cities of America.

Mr. CLARK. The Senator is correct. They come into my office and talk to me about those things. I held two seminars in eastern and western Pennsylvania to acquaint local personnel in the State and local governments with the various Federal programs, so that they can make intelligent application to get their share of the money. Very often, they did not know what I was talking about.

Mr. RIBICOFF. Is it not true that the Senate, if it really wishes to save money, should demand full value out of every Federal dollar given to a community? But how can they actually handle those expenditures which we vote without wasting them, if the communities do not know what is expected of

them, or how to handle the money which is being spent in the cities of America? We are spending billions of dollars in America, but they are not being used effectively. The time has come for us to realize that if we are to appropriate Federal dollars in the cities of America, at least we should have the necessary personnel to know how to spend that money wisely.

Mr. CLARK. The Senator is correct. I point out for the benefit of my friends from primarily rural States, that this money will be helpful and useful to them, too. There is hardly an area in America today where community facilities are not in short supply, and the personnel necessary to operate them. There are many rural counties which will benefit from this program.

Mr. RIBICOFF. Absolutely. We are talking about cities, but we are not talking about metropolitan areas only. We are talking about every city, every small town, because the bills that Congress passes and all these facilities, really, are utilized by every city in America regardless of their size. There is not a State in the Nation which does not have a city which is a beneficiary of Federal programs.

Mr. CLARK. The Senator is quite correct. I want to thank the Senator for his helpful intervention, because he is about to hold what I believe to be some of the most progressive hearings ever held on the needs of the cities. I am sure that he will find, in the course of those hearings, that this kind of legislation is vitally important in meeting the crises of the cities.

Mr. RIBICOFF. May I add one point. We had better recognize, for the survival of the Nation, that we are going through one of the great crises in the entire history of the United States. We would be short sighted, indeed, if we did not recognize that a revolution is taking place in America today.

Indeed, it is a revolution which is taking place in America. There is lack of coordination between Federal bureaus and Federal agencies whose programs affect urban America.

Since we will spend this money, we should spend it efficiently and wisely.

I commend the Senator from Pennsylvania for taking the leadership in getting skilled personnel to spend the money that we in the Federal Government are sending into the cities of America.

Mr. CLARK. Again, I thank my friend from Connecticut for his helpful intervention.

Mr. MORSE. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I had promised to yield to the Senator from Florida, but I see that he waves his hand at me, and I am therefore happy to yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I commend the Senator from Pennsylvania for offering his amendment. I join him as a cosponsor of it.

I want to endorse everything the Senator from Connecticut [Mr. RIBICOFF] has just said. I should like to make the plea to the chairman of the committee to agree to take the amendment to conference, because here is an amendment that will save, in my judgment, the taxpayers' money many times over the so-called cost of the amendment. So far as the funds for it are concerned, it will also result in much sounder planning programs.

The Senator from New York [Mr. JAVITS] is in the Chamber, as well as the Senator from Pennsylvania. They are both members of my Subcommittee on Education. I know that in this field, too, particularly in connection with rural areas, we have agreed to go along with the recommendation—and they will be bringing it to the floor of the Senate in due course of time—in which we will be advancing money to school districts and areas at the local level in order to give greater assurance that the planning they do will be good planning and will involve a wise expenditure of those funds, which they are going to get in any event.

If we really are to have wise spending, we should support the amendment of the Senator from Pennsylvania.

I wish that the chairman of the committee would agree to take the amendment to conference because I think it is one of the soundest amendments from the standpoint of saving the taxpayers' money that can be offered.

Mr. CLARK. I completely agree with my friend from Oregon. Let me say, for his benefit, that last year, the administration asked for $10 million. This year, they ask for $5 million plus. Last year, the genial, attractive, and able chairman of the committee agreed to take to conference the $4 million appropriation. This year, however, to my deep regret, his heart is as stone, and I have been unable to persuade him to go along.

Mr. MAGNUSON. Mr. President, if the Senator from Pennsylvania will yield to me on my own time——

Mr. CLARK. I am happy to yield to the Senator from Washington. Let me say to him that, of course, I was speaking in light vein.

Mr. MAGNUSON. I am speaking now on my own time. I have handled many of these bills. A bill is not always the way I want it. I did not write it. I am a servant of the committee, and of a majority of the committee. I try to be the best advocate I can for the committee's viewpoint. Now, personally, I think this is not too bad a program and would be willing to try it again with the House; but, personally, I could not speak that way for the committee. The House has turned it on three previous occasions.

The Senate has considered it in previous supplemental requests.

Mr. CLARK. The Senate committee is improving. Last year we took a substantial amount to conference. My recollection is that, since it was in the Housing Act of 1964, this is only the third time.

Mr. MAGNUSON. If there is anything the House is adamant on, it is on this item. We had a long discussion about it. The testimony of Secretary Weaver on this matter is not very enlightening to the members of the committee as to what is being done. Only two States have gone ahead with some kind of agenda or vague layout as to how they are going to operate. One of the States is California. The Secretary has quoted that State as having determined an individual approach. The other proposal is from North Carolina.

Forty-three States have indicated an interest in participating. The interest is that there might be a grant for them, but they have done very little to start a counterproposal within their own States to take advantage of a grant.

Mr. CLARK. How can they, without Federal money, I ask?

Mr. MAGNUSON. This is a grant. The States can set up their programs and obligate themselves to a certain starting amount, and then the Federal Government will come in and see what their program is. This is why many members of the committee felt they just did not know what was going to be done and that they should not lay out Federal money and say, "Here it is. Go ahead and get something ready," when the States have not shown hardly any initiative.

As far as the testimony is concerned, it did not show that the States were ready to participate. This is the best way I can relate what happened in the committee. There may be States that are ready and could participate, but have not given testimony.

Mr. CLARK. Mr. President, with due deference to my able friend from Washington, I have read the testimony of Secretary Weaver, of the Department of Housing and Urban Development. I ask unanimous consent to have printed at this point in the RECORD a list of 43 States which have indicated an interest in developing training programs, starting, alphabetically, with Alabama, and going through to Wyoming.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

STATES INDICATING INTEREST IN DEVELOPING TRAINING PROGRAMS

Alabama, Alaska, Arkansas, California, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virgin Islands, Washington, West Virginia, Wisconsin, and Wyoming.

Mr. CLARK. I also ask unanimous consent to have printed at this point in the RECORD a list of 20 States which have actually applied for training assistance. Both lists came from the Secretary of Housing and Urban Development.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

STATE APPLICATIONS FOR TRAINING ASSISTANCE

[*State, agency preparing plan, and stage of application*]

California: University of California, Preliminary plan received.

Georgia: University of Georgia, Preliminary plan received.

Illinois: Board of Economic Development, Preliminary plan received.

Iowa: State Development Commission, State-wide meetings and discussions in progress.

Kansas: Kansas State University, State plan being compiled.

Kentucky: University of Kentucky, State plan being developed.

Massachusetts: Department of Commerce and Development, Plan being developed.

Michigan: Department of Economic Expansion, Perliminary proposals received.

Minnesota: University of Minnesota, State plan being compiled.

Missouri: Administrative Assistant for Urban Affairs, Preliminary plan submitted.

Nebraska: Chief, Board of Nebraska Resources, State plan being compiled.

New Jersey: Department of Conservation and Economic Development, State-wide discussions in progress.

New York: The State Education Department, State plan being compiled.

North Carolina: Department of Conservation and Development, Preliminary plan submitted.

Ohio: Ohio Board of Regents, State-wide meetings held.

Oklahoma: University of Oklahoma, Preliminary plan received.

Pennsylvania: State Planning Board, State-wide discussions underway.

Tennessee: Commissioner of the Department of Finance and Administration, State-wide discussions underway.

Washington: Director, Department of Commerce and Economic Development, State-wide discussions underway.

West Virginia: Department of Commerce, State-wide discussions underway.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that Secretary Weaver's full statement made before the committee on this subject be printed in the RECORD at this point. It was made approximately 40 days ago. Perhaps in 40 days some States have shown some interest, or perhaps he has been father to the thought.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SECRETARY ROBERT C. WEAVER

The next item, Mr. Chairman, deals with the Community Development Training Program authorized by title VIII of the Housing Act of 1964. For this purpose the budget request was $5 million plus $150,000 for administrative expenses. The House allowed nothing.

I feel most strongly that this very valuable and badly needed program should be given a fair test. I appeal to this Committee to consider—for example—the hundreds upon hundreds of millions of dollars which the Federal Government itself is putting into our cities, towns, counties, and metropolitan areas. Yet the end result—the achievement of the Federal objectives in these programs—is most often in the hands of local officials; as indeed it should be. Local administration, like administration anywhere, is only as good as the people who are performing it. This program is designed to augment and upgrade the local officials who carry out Federally-assisted and related local programs. Such action is long overdue and will facilitate more effective utilization of public expenditure, especially those funded in part by the Federal Government. It is a prudent and timely investment.

I know from my own travels, and from conversations I have almost daily, that securing and developing qualified staffs are a problem in cities and other local governments all over this country. It is an acute problem. It is an important problem to the local people, and it is an important problem to the Federal Government as long as we have these many, complex and important programs which under our system are and should be administered by local units of government. I invite the Senators on this Committee to think about their own States. How many cities can you think of which have an adequate staff of skilled semi-professional and professional workers to produce the kind and quality of local administration you think desirable? How many, especially, have an adequate supply of well-trained young people coming along, who have chosen local government as a career? The fact is that most of them are engaged in a fruitless struggle, hiring people away from each other.

We urgently need to do something to increase and especially to upgrade the supply of trained people in the various skills involved in urban development. I do not mean to suggest that the Community Development Training program we are proposing will solve the whole problem; of course, it will not. But it will make a valuable contribution. And it will stir up other interest and activity. I predict that its effects will be felt on a far greater scale than the relatively modest appropriation might suggest.

I get the impression, Mr. Chairman, that the House Committee has been reluctant to fund this program for fear it will get to be some sort of political grab-bag for city hall. I honestly think there is no reason to fear such a result. The law requires the Governor to designate a responsible State agency to supervise the program. The State Agency must formulate a program, which the Secretary must approve. That program must spell out in detail how the States plan to administer their training; who will perform the training and how the trainees are to be selected; how the money is to be spent and accounted for. The whole operation will be conducted subject to the scrutiny of the Department and of the Congress. I am sure that there are adequate safeguards against abuses.

We recommend this approach, and we believe it will produce valuable results. The Congress agreed. I do not recall that it was seriously objected to in either House. Yet it has never moved, for lack of funds. To me it does not make sense to let the program lie still-born, when the problem is so widespread and the cost is so small. I urge this Committee to give this program a fair try. After all, the Department will be back before you every year. If the program doesn't work—an eventuality I do not anticipate—the Congress can cut it off at any time. But let us not let it lie dead upon the statute books. I hope, and I strongly urge, that this Committee add the $5 million appropriation requested for this purpose to the pending bill.

Estimate, $5,150,000; proposed by Committee $–0–; in Act $–0–.

(House hearings, pt. 2, pp. 836–842)

Page 44, after line 14, insert the following:

"COMMUNITY DEVELOPMENT TRAINING PROGRAMS

*"For matching grants to States for training and related activities and for expenses of providing technical assistance to State and local governmental or public bodies (including studies and publications of information), as authorized by title VIII of the Housing Act of 1964 (20 U.S.C. 801–805), $5,150,000 to remain available until expended: Provided, That not to exceed $150,000 of this appropriation shall be available for administrative expenses."*

The estimate, and $5,150,000 above the amount allowed by the House Committee.

*House report*

(Pertinent excerpts, H. Rept. No. 1477, p. 18)

*Community Development Training Programs.*—The budget this year again proposes a program of grants for training programs in community development. On three previous occasions the Committee has denied requests for funds for this purpose and has not approved the $5,150,000 budgeted for this purpose.

*Justification*

There is no substitute for trained, fully qualified public servants. Each year the many financial assistance programs of the State and Federal governments are at work in cities, towns, counties and metropolitan areas throughout the country. In the final analysis, the success or failure of these programs rests squarely in the hands of the local governmental bodies which all too frequently are under-staffed with under-trained personnel.

Local governments which are trying to recruit qualified individuals to staff expanding urban development programs, many of them Federally financed, are confronted with a critical shortage of qualified individuals for positions in city planning, finance, engineering, traffic and transportation, and the up-dating and enforcement of building codes and zoning ordinances.

The Community Development Training program was enacted in 1964 in response to the finding by the Congress "that the rapid expansion of the Nation's urban areas and urban populations have caused severe problems in urban and suburban development and created a national need to (1) provide special training in skills needed for economic and efficient community development . . .". In passing this legislation the Congress recognized a Federal responsibility for taking action on a National problem which was, at least in part, a product of the growth of Federal programs to aid local governments.

At the time of the enactment of the Housing Act of 1964, it was pointed out that there were thousands of unfilled professional and technical positions in local government—the situation has not improved. It has, in fact, deteriorated. Current estimates of local government's requirements indicate that the need for professional and technical staff will increase by 40 percent in this decade. Moreover, by 1980 it is estimated that local governments will need to have five professional and technical employees for every three that they had in 1960—this would require approximately 400,000 individuals.

Although the Community Development Training program cannot be the panacea for all the training and recruiting problems of local government, it can provide a start toward the goal of up-grading the skills of present local employees through in-service training and it can furnish an incentive which is needed to attract young people to a career in local government.

Program Description

This program of matching grants to States will assist them to strengthen the capability of local governments. The States will bear responsibility for the development of plans and programs to meet these training and recruiting needs. Once completed, State plans must be submitted to the Department.

State plans will include:

(1) The objectives of the plan and the proposed uses to which the requested funds would be put.

(2) The method by which the State would provide its share of the matching funds.

(3) A system for providing adequate fiscal controls and accounting procedures.

(4) A procedure for providing the Secretary with such reports as he may deem necessary.

(5) The designation of a responsible State agency or officer who will administer the program.

In developing and carrying out these plans, States shall be encouraged to work with local governmental bodies, public and

private colleges and universities and, where they exist, urban studies centers.

Development of State programs

Forty-three States have indicated a serious interest in participating in this program. It appears that twenty of the States will be far enough advanced in their development of State programs to file formal applications for Federal grants during the fiscal year, if funds are made available.

California proposals

Although it is expected that each state will take its own individual approach to its needs and program, the plans under development in California may be taken as illustrative.

(1) *Problems in Urban Development.*—A brief but intensive course for personnel who make major policy decisions affecting development.

(2) *Current Techniques and Methods of Fiscal and Administrative Management.*—A part-time continuing course for city and county managers as well as budget and finance officers offering up-to-date information about new techniques and systems of urban management.

(3) *Administration of Zoning, Building and Housing Codes.*—Short courses for codes personnel introducing current methods and procedures.

California will provide training in a variety of ways including one to three-day institutes offered by the University of California Extension Division, the State College System, and the University of Southern California and expansion of extension courses to include courses for municipal personnel.

In cooperation with the League of Cities and the County Supervisors Association, the University and the State Colleges will organize a small traveling faculty which will offer short training programs in urban development in several parts of the State.

The California program contemplates initial activities headquartered at ten different institutions in nine cities with extension programs in more than a score of other communities. The program is being developed by a broadly representative committee appointed by the Governor, including representatives of various levels of State and local government and public and private educational institutions. Necessary administrative and accounting procedures are also in preparation.

North Carolina Proposals

As a second example, *the North Carolina program* identifies a need, based on a questionnaire survey, for training in 17 specialties. Another questionnaire identified the State and local agencies and academic institutions in the State which could participate in providing the needed training. The preliminary State plan reflects the needs and resources identified in these surveys.

North Carolina has attached the highest priority to establishing the following training programs:

(1) *Code Inspection Training.*—Training sessions for code inspectors to be established by the North Carolina League of Municipalities.

(2) *Uses of data processing and methods of analysis in urban planning.*—Short courses of intensive instruction for professional city and regional planners.

(3) *Techniques of Transportation Planning.*—Instruction for municipal planners and highway officials in planning community transportation systems.

Administrative Expenses

The appropriation and limitation of $150,000 for administrative expenses for the first full year's operation of the program is based on a staff of 10 to initiate and administer this program; a program director, 6 professional and technical staff members, and 3 clerical and supporting positions.

The functions to be performed by this staff will include:

(1) Advising states on Federal requirements for participating in the program and providing professional and technical advice on the development and initiation of state plans.

(2) Developing policies and detailed procedure for the operation of the program, including application and contract forms and instructions, eligibility criteria, and the like.

(3) Reviewing applications for grants and accompanying state plans for conformity with program and budgetary requirements.

(4) Reviewing state programs in progress to assure they are being carried out in accordance with approved state plans and Federal requirements.

(5) Evaluating experience under state programs and research activities and analyzing, abstracting and preparing for distribution material of value as technical assistance to states and units of local government, as authorized by the Act.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CLARK. Mr. President, before I yield to the Senator from New York, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The time of the Senator from Pennsylvania has expired.

Mr. CLARK. Mr. President, I ask for time on the bill.

Mr. MAGNUSON. Mr. President, I yield 2 or 3 or 5 minutes from the time on the bill to the Senator from New York.

Mr. JAVITS. Mr. President, I wish to support the Senator from Pennsylvania [Mr. CLARK]. I do not think he should be discouraged, because the times are catching up with the vital issues and problems involved. The Senator from Connecticut [Mr. RIBICOFF] is to begin hearings with relation to what is to be done with respect to the cities and their problems.

In my opinion, there are four or five issues which will determine the next election: Vietnam, the high cost of living or inflation, riots in the streets, the civil rights struggle, and what to do about our cities.

Unless we have the brains and the experts to be assigned to cope with the managing of the problems and provide the means for doing so, we will be charged with bankruptcy and failure in the Congress. We know that only trained people can cope with these problems in the cities.

In New York City, even with the local pride we have, we had to reach out to Philadelphia and New Haven for experts. This is true of other cities. So we need not be chauvinistic about it. If we do not provide the funds we cannot have the personnel to administer the new program.

We must keep pressing for it. There may be frustrating defeats, but sooner or later it will catch up even with the House of Representatives.

Mr. CLARK. Mr. President, I am ready to yield back my time, if the Senator from Washington is.

Mr. MAGNUSON. I think we all understand what this is about and what we are presenting on behalf of the committee.

I yield back my time.

Mr. KUCHEL. Mr. President, before the Senator does so, will the Senator yield for a question?

Mr. MAGNUSON. I yield.

Mr. KUCHEL. I observe that in the discussion of the committee, the State of California is singled out as an example of a State government which not only has a plan but has implemented that plan and is making progress with respect to the whole field of training people in community development programs. Is my understanding correct?

Mr. MAGNUSON. Yes. The Secretary stated that 43 States had indicated an interest, but California and North Carolina have done something about it.

Mr. President, I received a letter from the chairman of the Banking and Currency Committee in which he urges adoption of this item, and I ask unanimous consent to have that letter placed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON BANKING AND CURRENCY,
*July 28, 1966.*

Hon. WARREN G. MAGNUSON,
*Chairman, Independent Offices Subcommittee, Committee on Appropriations, U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: As you probably know, the Administration is urging prompt action on its proposal to give to the Federal Agencies which supervise the operation of financial institutions, additional regulatory powers in the matter of issuing cease and desist orders when irregularities in the operation of a bank or savings and loan association have been discovered, but short of the drastic action of closing the institution at a loss possibly to the government on insured accounts as well as to stockholders and shareholders. After voluminous hearings, I prepared a substitute bill for the Administration bill previously introduced by request and I have scheduled hearings on that substitute bill for 10 a.m., Tuesday, August 2nd.

The importance of acting promptly on that bill is such that I will be unable to attend a meeting of your Subcommittee on Independent Offices when you mark up that bill. I am, therefore, writing to indicate my interest in an item in the House Bill of $5 million for the Housing and Urban Department to make grants to the States for training programs, etc. Please record me as being in favor of retaining that item in the Senate bill and should an effort in the Subcommittee be made to eliminate the item, please announce to my Senate colleagues that the multiplicity of problems growing out of urban development convince me that the proposed new program is a sound one and should have our support.

With kind personal regards, I am,
Sincerely yours,
A. WILLIS ROBERTSON.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. CLARK. The chairman of the Banking and Currency Committee is present on the floor. He can speak for himself.

Mr. MAGNUSON. I looked but did not see him.

Mr. ROBERTSON. Mr. President, the position of the chairman of the Com-

mittee on Banking and Currency is that he felt more money was provided than should be. He was advised by friends in the State of Virginia that if we trained these people more, it would be a good investment.

Mr. MAGNUSON. I did not disagree, but Secretary Weaver said that only 43 States had expressed an interest, and 2 States had done something about it. What he told the Senator from Pennsylvania I do not know.

Mr. RIBICOFF. Mr. President will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. RIBICOFF. It is not a question of the States expressing interest. There has developed and is developing a direct relationship between the Federal Government and cities. The mayors of cities come to the Federal Government now, and not to the States. That is the difference.

The Senator from New York [Mr. JAVITS] made a good point. He pointed out that when the mayor of the largest city in this country wanted to get personnel, he had to raid talent from other sections of the United States. I know he raided my own city of New Haven, and he raided the city of Philadelphia.

Mr. CLARK. New Haven had its top man stolen by Mayor Lindsay.

Mr. RIBICOFF. Not yet, but he is on the way to doing it.

Mr. CLARK. And he stole the police commissioner of Philadelphia.

Mr. RIBICOFF. It is like a game of musical chairs. The city of Boston got hold of an urban expert who came from New Haven.

A new mayor of New York is elected. He wants a good job done. So he goes to Boston and tries to get the man who originally went from New Haven to Boston, to come to New York. If a problem arises in Los Angeles, the home of the distinguished Senator from California, they will be looking around at New York and New Haven, to try to take the people away from New Haven and New York.

So we have a constant blowing up of higher and higher salaries, as one city raids another all over America. The reason for the raiding is the lack of trained personnel.

So the point the Senator from Pennsylvania makes, and makes so cogently and well, is that we should have enough personnel to do the job in our big cities of America, without the necessity of one city raiding another for the handful of trained men.

It is not a question, any more, of only involving the States. We have set up these programs for a direct relationship between the Federal Government and the cities; and we should recognize that. The Senator from Oregon makes a very good point. He recognizes, in the job that he holds as chairman of a most important subcommittee, that all the education and training programs we have in this entire Nation are wasted, and the money we spend is not spent effectively if we do not have qualified personnel to administer the programs. I say it is foolish for us, as U.S. Senators, to appropriate these billions and billions of dollars, if the programs are ineffective because the men who administer them do not know what they are all about. I think the time has come for Congress to stop and take a careful look, and then proceed with great caution on some of these programs. I would much prefer to see Congress vote $5 million for trained personnel before we vote $600 million, and waste the money for lack of proper administration. The cart is really being put before the horse when we do otherwise.

I am sure the hearings we will start next Monday will show that billions of dollars of Federal money are not always effectively used because the people who administer the programs do not understand the programs or the problems involved. I think the time has come that, before we vote to spend these large sums of money, we ought to make sure that there are people who know how to administer the programs.

I think it is tragic, in a bill such as this, to appropriate $640 million, and at the same time be unwilling to vote $5 million for trained personnel to administer the expenditure of those funds. We are reaching a stage in the growth of our cities, with 100 million additional people expected by the year 2000, that we will need 400,000 trained personnel to administer the cities; and yet, with all the billions of dollars we vote, we are so shortsighted as to fail to provide for the trained personnel to administer those billion-dollar programs we vote for, year after year.

Mr. MAGNUSON. Mr. President, I must say I am sorry to hear all about this kidnaping going on between the cities. Maybe we should have a bill to prohibit that. But what is involved here is the question of whether the Federal Government should make these grants to the States, and only to the States, which in turn can give the money to the cities, when there is not any testimony to show tha they have much of anything in the way of plans for its use. That was the general consensus of the committee, and that is all I can say.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Pennsylvania. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Tennessee [Mr. BASS], the Senator from Indiana [Mr. BAYH], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from Arizona [Mr. HAYDEN], the Senator from Alabama [Mr. HILL], the Senator from Minnesota [Mr. MCCARTHY], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent because of illness.

The Senator from Iowa [Mr. MILLER] and the Senator from South Carolina [Mr. THURMOND] are necessarily absent.

The Senator from Illinois [Mr. DIRKSEN] is detained on official business.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Illinois [Mr. DIRKSEN], the Senator from Iowa [Mr. MILLER], and the Senator from South Carolina [Mr. THURMOND] would each vote "nay."

The result was announced—yeas 40, nays 45, as follows:

[No. 197 Leg.]

YEAS—40

| | | |
|---|---|---|
| Boggs | Kennedy, Mass. | Pastore |
| Brewster | Kennedy, N.Y. | Pell |
| Burdick | Long, Mo. | Prouty |
| Case | Long, La. | Proxmire |
| Church | Mansfield | Ribicoff |
| Clark | McGee | Robertson |
| Dodd | McGovern | Scott |
| Douglas | Metcalf | Smith |
| Griffin | Mondale | Sparkman |
| Hart | Montoya | Williams, N.J. |
| Hartke | Morse | Yarborough |
| Inouye | Moss | Young, Ohio |
| Jackson | Muskie | |
| Javits | Nelson | |

NAYS—45

| | | |
|---|---|---|
| Aiken | Fong | Morton |
| Allott | Fulbright | Mundt |
| Anderson | Gruening | Murphy |
| Bible | Harris | Pearson |
| Byrd, Va. | Hickenlooper | Randolph |
| Byrd, W. Va. | Holland | Russell, S.C. |
| Cannon | Hruska | Russell, Ga. |
| Carlson | Jordan, N.C. | Saltonstall |
| Cooper | Jordan, Idaho | Simpson |
| Cotton | Kuchel | Stennis |
| Curtis | Lausche | Symington |
| Dominick | Magnuson | Talmadge |
| Eastland | McClellan | Tower |
| Ervin | McIntyre | Williams, Del. |
| Fannin | Monroney | Young, N. Dak. |

NOT VOTING—15

| | | |
|---|---|---|
| Bartlett | Ellender | Miller |
| Bass | Gore | Neuberger |
| Bayh | Hayden | Smathers |
| Bennett | Hill | Thurmond |
| Dirksen | McCarthy | Tydings |

So Mr. CLARK's amendment was rejected.

Mr. ALLOTT. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MAGNUSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CLARK. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 41, following line 25, insert the following:

FELLOWSHIPS FOR CITY PLANNING AND URBAN STUDIES

For fellowships for city planning and urban studies as authorized by section 810 of the Housing Act of 1964 (20 U.S.C. 811), $530,000: *Provided*, That not to exceed $30,000 of this appropriation shall be available for administrative expenses.

Mr. CLARK. Mr. President, I yield myself such time as I may require, but I say to my colleagues that I do not intend to ask for a rollcall vote on this amendment.

The purpose of the amendment is to fund section 810 of the Housing Act of 1964 which authorized the provision of some desperately needed fellowships and scholarships in the field of metropolitan area, city, and, generally speaking, urban planning. Experts in these fields are in desperately short supply.

The Appropriations Committee, again, for reasons obscure to me, has never been willing to fund this authorization which was approved by the Committees on Banking and Currency of the House and the Senate, passed by Congress, and signed by the President.

I have no idea why they have not funded this money. It is perfectly clear that these people are desperately needed and they are not now being trained in adequate numbers.

I invite the attention of my friend, the Senator from Connecticut, to this. As one example, I serve as a member of the Pennsylvania State Planning Board.

We had a vacancy in the office of executive director of the State planning board. We were unable to find a qualified individual in Pennsylvania. We went outside of the State and finally ended up hiring the city planning director of Nashville, Tenn. I have no doubt that Nashville, Tenn., went down the line and stole somebody else.

These people are in desperately short supply. There are adequate schools of city planning, urban planning, and metropolitan area planning in which these individuals can be trained.

Often they come from families of no particular affluence. They are not able to afford the graduate work necessary to get a degree to enable them to qualify for the available jobs.

The reason I am not calling for a rollcall vote is that, to my deep and bitter disappointment, this relatively minor sum of $530,000 was not included in the budget, and I have no particular confidence that a sum can now be added to this bill which was not in the budget.

I regret very much that the administration took this point of view. I regret even more that the collective hearts of the members of the Committee on Appropriations were again frozen.

I ask unanimous consent that the justification for the grant for fellowships for city planning and urban studies, which appeared in the House report in last year's appropriation bill may be printed in full at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

FELLOWSHIPS FOR CITY PLANNING AND URBAN STUDIES

HOUSE REPORT

(Pertinent excerpts, H. Rept. 320, p. 11)

*Justification*

No funds were provided by the House and the budget amendment proposes an appropriation of $530,000 of which $30,000 is for administrative expenses. The appropriation would allow the Agency to implement the program as enacted in the House Act of 1964.

As indicated in the preceding section on the Federal-State training programs, the supply of professional and technical personnel is lagging far behind the rapidly expanding needs of our urban centers.

Title VIII of the Housing Act of 1964 enacted two new programs of Federal aid to help meet these needs—the Federal-State training program and the program of fellowships of city planning and urban studies. The Federal-State training program, already described, is directed toward assistance to State programs of training and research in subjects essential to orderly community development. The program of fellowships for city planning and urban studies, described below, represents an effort to attract more young students into careers in the field of urban planning and development.

ACTION, the nonprofit organization concerned with community development, reported in a recent study "a prime need to establish several hundred fellowships to sustain talented graduate students in urban renewal and redevelopment, public administration, urban transportation, housing and land economics, and urban sociology (as well as in urban planning * * *)."

University officials state that there are two or three times as many qualified applicants in urban development and planning as can be supported through existing endowments. Many for whom financial assistance cannot be provided seek out other opportunities and are lost to the growing field of urban planning and development.

There are now 35 schools offering graduate degrees in city planning, and producing between 200 and 300 planners per year. It is estimated that they could turn out twice that number if sufficient financial aid to students were available. Planning schools cannot now get students in sufficient numbers because other fields offer more and better graduate fellowships. Three universities expect to launch planning programs within the next 2 years.

In addition to the emerging national interest in the problems of urban planning and growth, the Federal Government has a very substantial financial stake in the competence of planning and administration at State and local government levels. The prudent expenditure of large sums of Federal funds depends first and most importantly on the training and ability of local officials. This consideration is not limited to housing and urban renewal, but applies equally to such major and diverse programs as highway development, airport construction, urban mass transit, air and water pollution control, and many others. Federal interests, therefore, will be directly served by a program to encourage talented students in institutions of higher education to choose and prepare themselves for careers in the various skills essential in urban planning and urban development activities at the State and local level.

*Program description*

The fellowships awarded under this program will be for graduate study for careers in city and regional planning, housing, urban renewal, and community development. Applications will be accepted for training in public or private nonprofit institutions of higher education having programs of graduate study in the field of city planning or in related fields, including architecture, civil engineering, municipal finance, and public administration.

Applicants will apply to the school of their choice, and accredited institutions will submit a limited number of applications to HHFA. Students will not apply directly to HHFA; applications will undergo a preliminary review by the school to which application was made.

Persons will be selected for fellowships solely on the basis of ability, and upon the recommendations of the Urban Studies Fellowship Advisory Board which is required to be established by the authorizing law. The Board, to be appointed by the Housing and Home Finance Administrator, will consist of three persons from public institutions of higher learning; three from private nonprofit institutions, who are the heads of departments which provide academic courses appropriately related to the fields in which fellowships will be awarded; and three persons from national organizations which are directly concerned with problems relating to urban, regional, and community development.

It is expected that each fellowship award will be for $3,000 and will be renewable for a second year.

*Fellowship grants*

Section 810 of the Housing Act of 1964 authorizes annual appropriations of $500,000 for a 3-year period starting July 1, 1964.

The $500,000 appropriation requested for fiscal 1966 will support 80 to 85 fellowships of $3,000 per annum.

*Administrative expenses*

The appropriation and limitation of $30,000 for administrative expenses in fiscal year 1966 would provide a staff of three employees to institute and administer this program. This staff would be employed in program policy and procedural steps, informational activities, receipt and analysis of proposals, and the making of fellowship grants as provided by the statute. The requested appropriation would also cover the expenses of the Urban Studies Advisory Board authorized in section 810(b) of the act.

It is respectfully requested that the Senate amend the pending bill to provide $530,000 so the initial steps may be taken to implement the program as authorized in the Housing Act of 1964.

Mr. CLARK. Mr. President, may I make a last plea for the last remaining drop of compassion in the hearts of the Senator from Colorado and the Senator from Washington, in the hope that they will take this to conference?

Mr. MAGNUSON. I suggest to the Senator from Pennsylvania that it is difficult to woo us so quickly. If he had started his courtship in this matter with us in the committee and had made such an eloquent plea to the committee, we might have been susceptible at that time.

Mr. CLARK. I have been making love to the Senator's committee for 3 years.

Mr. MAGNUSON. I wish to say that to me, this is a much more sensible approach—at least, in the field of planning—than the other approach. If we would encourage a number of these people to be highly trained, there would be more available. They would all get jobs.

I hope that next year this item will be in the budget. I should be glad to join in a letter to the Budget director in this respect.

I believe it is much easier to do it this way, to create these available schools where the people could be trained in these fields, because then they would be employed by the cities and other places that need them. The difficulty is that we have too few schools that pay much attention to this matter.

Mr. CLARK. Let me say to the Senator from Washington that under the proposed amendment we might train 83 qualified city planners and the like in various schools which are available. For every city planner trained under this amendment 10, 20, or 30 persons would have to be trained to do the pick-and-shovel work in the counties, cities, and States. This is the problem to which the other amendment was directed.

Mr. MAGNUSON. I understand.

I must oppose the amendment, because it is not in the budget, and we had no chance to hear it. Although I believe it is a good idea, on behalf of the committee I would have to suggest that we——

Mr. CLARK. May I say to my good friend, the Senator from Washington, that the committee took it last year.

Mr. MAGNUSON. I wish to suggest that I am representing the committee, and I do not believe the committee would allow me to come here and run the matter myself. They would be afraid that Senators would get me to a point where I would take everything, because I am so impressed with some of these arguments that I have to look around to find the rock of Colorado, and I say: "Shall we take this? No."

Then I get back to the committee again. So I am in that position.

Mr. CLARK. May I say, in all candor, that if the other members of the Committee on Appropriations would only follow the heart and mind of the Senator from Washington, we would all be better off.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. MONRONEY. I urge the Senator from Washington to take this amount to conference. It is not a large amount. I believe it answers the reason why many of us on the Appropriations Subcommittee reluctantly had to vote against the $5 million figure, because we did not believe that there were enough universities offering opportunity for high-skill training in this particular field.

This would make a start. It would encourage these universities to come forward with programs and help to spread opportunity to get some training, through these universities, throughout the country.

I urge the chairman to take this amount to conference, as a very able start on a program that I believe will grow and will be necessary in helping our cities of the future.

Mr. MAGNUSON. Mr. President, I should like to do what my distinguished friend, the Senator from Oklahoma, a member of the Committee on Appropriations, has suggested. I am impressed by all these comments, but I have listened all day to the anguish. The difficulty is that this is not in the budget. We have to be consistent.

Mr. CLARK. Mr. President, will the Senator yield briefly?

Mr. MAGNUSON. I yield.

Mr. CLARK. The Senator just saved $5,150,000 by refusing to take to conference an authorization provided for in the budget. I should think that an appropriation equal to only 10 percent of this item, which is only $530,000, would still leave the Senator ahead.

Mr. MAGNUSON. Or we can take out of the urban renewal program a few hundred thousand dollars.

Mr. CLARK. Half a million dollars.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. LAUSCHE. Mr. President, I should like to make inquiry on a matter that is not immediately connected with the subject discussed by the Senator from Pennsylvania.

To my office have come representatives of a beryllium company in Ohio. These representatives state that in Montana, Ohio, and North Carolina are beryllium plants operated by private enterprise. They contend that the Atomic Energy Commission has now established an in-house manufacture of its own of beryllium.

Is there any discussion of that subject in this bill?

Mr. MAGNUSON. No. We do not have that. That will be in the appropriation for public works.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. CLARK. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. CLARK. I am prepared to take up the Senator from Washington on his suggestion——

Mr. LAUSCHE. Mr. President, will the Senator allow us to complete this discussion?

Mr. CLARK. I thought the Senator from Ohio had finished.

Mr. LAUSCHE. The Senator from North Carolina is interested in my subject.

Mr. ERVIN. Mr. President, I share the views expressed by my good friend, the Senator from Ohio. I believe that it is unsound for us to tax private enterprise, to assist the Atomic Energy Commission or NASA to operate, and then for NASA or the Atomic Energy Commission to go into competition with free enterprise.

I hope that no appropriation bill will come here in which either of those agencies will be authorized to go into competition with private enterprise, in a field which private enterprise is fitted to fill adequately.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. LAUSCHE. May I ask the Senator from Montana whether it has come to his attention, from a privately operated beryllium plant in Montana, that the Government of the United States has started to manufacture beryllium on its own, practically creating an absolutely insurmountable impediment to the ability of these private enterprises to continue in existence?

Mr. MANSFIELD. That is correct. There is a beryllium research plant at Anaconda, Mont., where the big smelter is. The Anaconda Co. has beryllium which it acquires from deposits in Utah. It was spending a lot of its own money developing this project, which was very necessary, I understand, under the atomic energy program; and now the Atomic Energy Commission has stepped in and created a situation which is quite difficult for that blossoming, growing, small industry in Montana.

Mr. LAUSCHE. Is there any money in this bill to finance that in-house manufacturing of beryllium?

Mr. MAGNUSON. No.

Mr. LAUSCHE. I thank the Senator.

Mr. MAGNUSON. Mr. President, I had enough trouble yesterday with titanium, without getting into beryllium.

I would agree with what the Senator from Ohio [Mr. LAUSCHE] and others have said: When the full Committee on Public Works meets on this matter.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MAGNUSON. This is almost as bad as Secretary McNamara trying to build his own ships to handle the merchant marine.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. CLARK. If I were to modify my amendment by moving to decrease the appropriation for urban renewal by $530,000 would the Senator from Washington [Mr. MAGNUSON] and the Senator from Colorado [Mr. ALLOTT] then take this amendment?

Mr. MAGNUSON. Yes, and I so move.

Mr. CLARK. Mr. President, I amend my amendment to provide that the $530,000 that is provided therein——

Mr. MAGNUSON. Make it an even $500,000.

Mr. CLARK. I modify my amendment to provide that the $500,000 to be appropriated for fellowships and scholarships is to be deducted from total grants for urban renewal.

I hope that the Senator from Washington [Mr. MAGNUSON] will take that amendment, as modified, to conference.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

On page 41, following line 25, insert the following:

"FELLOWSHIPS FOR CITY PLANNING AND URBAN STUDIES

"For fellowships for city planning and urban studies as authorized by section 810 of the Housing Act of 1964 (20 U.S.C. 811), $500,000: *Provided*, That not to exceed $30,000 of this appropriation shall be available for administrative expenses: *Provided*, That this sum shall be deducted from grants for urban renewal."

Mr. MAGNUSON. After consultation with some other members of the committee, we would be glad to accept that and take it to conference, because it fits into the urban renewal program.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. CLARK], as modified.

Mr. ALLOTT. This is in excess of the budget and it would be extremely difficult to hold this amount in in conference.

Mr. CLARK. It will not be if it is deducted from urban renewal.

Mr. ALLOTT. Still, it would be difficult.

Mr. CLARK. I am confident that it can be worked out with the House of Representatives.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. CLARK] as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. ALLOTT. Mr. President, I send to the desk an amendment and ask that it be reported.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 31, line 23, strike out "$499,699,000" and insert in lieu thereof "$479,999,000".

On page 32, line 3, strike out "teachers:" and insert in lieu thereof "teachers: *Provided further,* That no funds appropriated herein shall be used for Project Mohole:".

Mr. ALLOTT. Mr. President, may we have order?

The PRESIDING OFFICER. The galleries will be in order.

Mr. ALLOTT. Mr. President, we come to the so-called Mohole amendment which, from the inquiries I have had, has caused considerable interest.

Speaking for myself, while there is an hour allotted on the bill, I do not anticipate speaking for over 10 to 15 minutes. I say this so that Senators may judge their time accordingly, and I do appreciate the attention of those Senators who have abided in the Chamber in order to listen to the discussion of the subject.

Mr. President, yesterday I was called from the Chamber to an interview with a certain gentleman of the broadcasting industry, and the first question that he asked me was: "I understand that you have a company in Colorado that is very much interested in this project."

About 3 years ago a certain scientific journal made a similar allegation. I am not sure they ever made a formal retraction, but when I straightened them out we heard nothing further from them.

First I want to make very plain that there is only one company in Colorado that I know of that has any interest in this particular amendment. That is a subsidiary of Brown & Root, and they are not in accord with the position I have taken.

Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. ALLOTT. Mr. President, I wish to make it perfectly clear in the beginning that I have no constituents that I know of who are interested in the outcome of this amendment. Furthermore, I shall go one step further and say that I have no financial interest in any company that could possibly have any interest in this amendment.

I am a little astounded that the defenders of the Mohole project would go to this extent to try to justify their cause. I am concerned about it, but it only reflects the low state to which some people think they can resort in order to accomplish their purposes.

Mr. President, I wish to make one other point very clear. I have called the attention of the Senate to the situation of Mohole for 5 straight years. I have called the attention of the Senate to the mismanagement, to the constant growth of cost every year for 5 years, and the Senate, except for 1 year, has not paid any heed to my call.

So I come here today wholly objective. I have nothing to gain individually. I have nothing to gain for my State. I shall repeat this and make it very clear. I have not asked one Senator, either in committee or out of committee, to support me on this matter, because to me an objective, analytical examination of the matter should persuade any Senator to vote either for or against it.

Mr. President, this matter originated a long time ago. In 1959, phase 1 of this program was started with a vessel called *Cuss I.* Phase 1 was very successful, drilling in intermediate or shallow waters, carried on under the auspices of the so-called AMSOC committee. That stands for American Miscellaneous Society, which was, in fact, a part of the National Academy of Sciences.

In August 1961, Dr. Waterman, then the Director of the National Science Foundation, held a 2-day or 3-day meeting in Washington, to which he invited everyone in the country who was interested in the prospect of working on the second phase, which was the so-called Mohole. "Mohole" derives its name from that area of the earth's crust which was defined by Professor Andrija Mohorovicic. The "Moho" is the transitional area between the crust and the mantle of the earth. Persons who are interested will find on page 1630 of the hearings a diagram which will give them an understanding of what is contemplated.

After much mismanagement in the selection of contractors, a contract was awarded in February 1962, as I recall it, to Brown & Root.

In the spring of 1962, the National Science Foundation estimated before our committee that the cost of the project would be between $35 million and $50 million. They had previously told us that the cost would be between $15 million and $20 million. In the last few weeks, they have said that that was merely an estimate by the scientists. Nevertheless, the fact is that on the basis of their statements to us, which we accepted as we would accept their sworn word, Congress committed itself on the basis of the figures that had been submitted.

In March 1962, Dr. Waterman testified at a Senate Committee on Appropriations hearing that the cost would be between $35 million and $50 million. By August of 1962, Dr. Waterman stated that the cost would be approximately $50 million.

In June 1963, about 9 months later, he stated that the cost would be about $70.39 million.

Then Dr. Haworth assumed the directorship of the National Science Foundation, and in November 1963, he modified the $70 million figure slightly, and said that the cost would be between $68 million and $70 million.

By June of 1964, in the appropriations hearings, Dr. Haworth testified that the cost would be $75 million.

By May of 1965, he had raised that figure to $90 million.

In an August 1965 letter to me, upon inquiry, he stated that the cost would be $104 million.

In September of 1965, Business Week published an article on this subject in which it was estimated that the cost would be $110 million.

In March of 1966, in House appropriations hearings, testimony by Dr. Haworth was that the cost would be $113.5 million.

This was in March of this year that Dr. Haworth testified to $113.5 million, in the House.

By June of this year, Dr. Haworth testified before the Senate Independent Offices Subcommittee that the total cost would be $127.1 million, which includes all of the equipment and everything that was sought to be done for it in 2 and a fraction years of operation at $13 million a year.

Yesterday, I stated on the floor of the Senate—and I believe this to be true, that the total cost of this project will run approximately $175 million. Many people thought 2 or 3 years ago that I was making wild cost predictions, but those predictions have come true.

This is quite a growth for little Topsy, which started out at $15 million to $20 million.

Mr. President, in the original instance, I did not oppose the scientific objective of Project Mohole. What I have opposed is the mismanagement and lack of knowledge which has cost the taxpayers of this country many millions of dollars and will cost them many more millions of dollars before we are through. The National Science Foundation cannot possibly operate this project for another 3 years at the $13 million figure they have given. The $13 million annual operating expense will have to be expanded to $20 million or $25 million a year operating expense.

The estimate at the time of the original drilling, of course, was a cost of $15 million to $20 million. I think that the prime cause for this difficulty of tremendous cost increases lies in the determination by the National Science Foundation and the prime contractor to skip the next logical step after phase 1, the so-called *Cuss I* ship. This would ordinarily qualify for the pilot plant stage in any scientific investigation.

The scientific advisers, those who carried out phase 1, and a special outside consultant group from the National Science Board, appointed by the President under Dr. Piore, all agreed that the proper next step was an intermediate stage vessel to be used for testing equipment and gaining more experience in deepwater drilling.

The decision, however, was made immediately to commence work on a drilling platform designed to go clear through the earth's mantle. If it is placed where it is proposed to be placed now, it would drill in approximately 15,000 feet of water and through 20,000 feet of crust into the mantle, or a total of 35,000 feet.

The result of that decision not to build an intermediate vessel is that we have no definitive design criteria for the platform which is now being built. For example, if an intermediate stage vessel had been built and was at work drilling while the final vehicle was under design, samples of all three of the earth's crustal layers could well have been taken, and from these samples we could have far better determined their densities and acoustic velocities and, thus, gain a better idea of the true depth to the Moho and the

difficulties of drilling the material which must be penetrated.

Mr. President, I think the most frustrating point of the action taken by our committee—by a divided vote, I might point out—is that we are continuing on the wasteful course the project took 2 years ago, when we now have an opportunity to correct the situation and save millions of dollars, which is the action that the House did take this year in cutting the Mohole project out of the bill.

There is now underway a national ocean sediment coring program, also started by the National Science Foundation, which could take the place of the intermediate vessel once bypassed.

Senators will find on page 26 of the committee report a listing of the scientific objectives of this program.

I proposed to compare them with the goals which the National Science Foundation asserts are a part of the Mohole itself.

I read from page 26 of the report what this intermediate drilling hopes to accomplish:

The long record of the earth's climatic history. Changing events can be traced through radioactive dating and study of fossil organisms in the sediments, thus expanding our knowledge of both long- and short-range climatic cycles.

The history of the major ocean current systems and water masses.

How and when the ocean basins attained their present configuration. The evidence obtained may well cast light on continental drift and the renewal of the oceanic crust by upwelling connected with deep-seated convection cells, and other currently controversial ideas about the dynamics of the earth.

Changes in the earth's magnetic field.

The composition and rate of accretion of cosmic particles imbedded in the sedimentary rock.

The origin of extraordinary concentrations of metallic oxides such as the manganese nodules found widely on the ocean floor.

The evolutionary history of shelled, one-cell plants and animals, including the profound changes in these organisms that occurred about 100 million years ago.

In addition, scientists will be able to compare information obtained from core samples with theories developed from indirect geophysical measurements such as the changing speeds of seismic waves traveling through the earth.

And what do they think they can accomplish in Project Mohole? On page 1631 of the committee hearings, Dr. Haworth's statement says we will obtain:

A better age determination for the earth.

A determination of the age and origin of the ocean basins and their contained sea water.

A better understanding of how the earth-moon system came into being.

An understanding of the distribution of the chemical elements in the earth, which in turn bears on the origin of the sun and perhaps other stars.

An understanding of the origin of continents and whether or not they are drifting about on the earth's surface.

Knowledge of the mantle's composition and the origin of magnetic and gravity anomalies that have been discovered beneath the sea.

A better understanding of the origin of life and the carbon cycle with which it is closely connected.

Except perhaps for the actual composition of the earth's mantle, all the matters mentioned could be accomplished in the intermediate project.

With the lack of design criteria, we are engaged in building a fantastically expensive vessel, which at present is estimated to cost $54 million—$30 million for the vessel alone and $24 million for equipment. It is almost what could be called overdesigned.

The question has been raised, and it deserves an answer, What will it cost to cancel it out? We have appropriated $55 million on the Mohole project.

The recent testimony of Dr. Haworth, supported by a call which he made to a member of my staff, and to the committee, was that it would cost $36.6 million to cancel it out. The question is, Are we to put $90 million more down a bad hole, or stop at this point, regroup ourselves for an intermediate exploration in ocean drilling, and then by the experience gained, proceed, if that is the will of the Congress, with the drilling to the Mohorovicic discontinuity? This is the question Congress faces. We will have paid $36 million for it, but we will have all the design and experimental experience which has resulted thus far.

The supporters of the project have said they have had a tremendous fallout from the project. There may have been, but I do not know where it is. One of the benefits they talk about is a drill. When analyzed, the proponents' statements about the drill turned out to be bogus. They have refined an existing drill. It can hardly be called a scientific find.

So we face the problem today—and I say this without any personal feelings at all—of whether we have gotten to the place where we should stop this project and go at the whole problem with a logical approach, wait until we have done some of the intermediate drilling, find out what problems we shall face, or whether we should rush full blown into it and spend this money, which, in my opinion, will be above $175 million—although we are not sure—and destroy what otherwise might be a worthy scientific endeavor.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. ALLOTT. I yield.

Mr. LAUSCHE. I read part of the record to which the Senator has just referred. Is the name of the doctor, Dr. Haworth?

Mr. ALLOTT. Dr. Haworth.

Mr. LAUSCHE. He finally arrived at a figure of $125 million.

Mr. ALLOTT. One hundred and twenty-seven million dollars.

Mr. LAUSCHE. Will the Senator from Colorado tell us what the original estimate of cost of this project was supposed to be?

Mr. ALLOTT. When the National Science Foundation first discussed it, it placed the cost at between $15 million and $20 million.

Mr. LAUSCHE. How did the cost ascend from the time the original estimate was submitted?

Mr. ALLOTT. Astronomically; and my friend from Georgia [Mr. RUSSELL] says geometrically, also. It ascended, as I read into the RECORD, year by year. From 1959, when the estimated cost was between $15 and $20 million, it went up to $35 million in 1962. It is about $127.1 million this year.

I think it is significant how the figure has changed since March. Between March and June of this year the figure increased from $113 million to $127.1 million.

Mr. LAUSCHE. What is the significance of the figure in March? Were the hearings held at that time?

Mr. ALLOTT. That figure was given in the House Appropriations Committee.

Mr. LAUSCHE. And the difference between the figure testified at the time of the House hearing and at the time of the Senate hearing was how much?

Mr. ALLOTT. A little short of $14 million. The figure given to the House committee was $113 million. The figure given to the Senate committee was a little over $127 million.

Mr. LAUSCHE. Has the Senator any estimate as to how much it will climb beyond the $127 million estimate?

Mr. ALLOTT. The Senator heard my statement that it will continue to climb.

Mr. LAUSCHE. I suppose the Senator has the same assurance that he had originally, when the original estimate of the cost was between $15 and $20 million.

Mr. ALLOTT. We have exactly the same assurance.

Mr. LAUSCHE. How many assurances in the past has the Senator had?

Mr. ALLOTT. The original estimate was in 1959, at the start of phase 1. The different estimates were made during the period of 5 years, 1961–66.

Mr. LAUSCHE. What are the practical benefits that will come out of a successful drilling down into the earth about 50,000 or 60,000 feet, or whatever the figure is?

I heard the Senator read a description of the information that they will be able to obtain with respect to the relationship of the earth and the moon, the composition of the earth, how it became solidified, how this information will be interesting to scientists; but is there any testimony in the record about the utility that will come from this information? I understand the bathyscaphe explorations include getting information with respect to the habitation of fish and means of communicating in the water. Arguments have been advanced as to the utility that will come from such explorations.

Mr. ALLOTT. Not being a scientist, it would be presumptuous of me to say anything about the scientific field; but the only testimony that we have had is that there have been certain practical applications and techniques arising with respect to the design and construction of the vessel.

Mr. President, may I inquire how much time I have left?

The PRESIDING OFFICER. The Senator from Colorado has between 3½ and 4 minutes left.

Mr. ALLOTT. Mr. President, if there are no further questions, I reserve the remainder of my time.

Mr. LAUSCHE. Just one further question. How much money has thus far actually been spent, as distinguished from appropriated and unspent?

Mr. ALLOTT. I am sorry, I cannot give the Senator the answer to that. We have appropriated $55 million.

Mr. LAUSCHE. I thank the Senator.

Mr. MAGNUSON. Mr. President, in answer to that last question——

Mr. ALLOTT. Mr. President, I find on page 1640 of the record of the hearings that there has been obligated a total of $54.5 million. But I cannot say how much of that has actually been spent.

Mr. MAGNUSON. Well, most of it has been spent, if it is contracted for.

Mr. President, I do not wish to belabor the Mohole project in the Senate today. It has been the subject of a great deal of discussion, of course, in the subcommittee and in the committee. The facts and figures stated by the Senator from Colorado are correct. I recall when they first proposed the project, no one stated an exact figure on what the cost would be. The estimate was $15 million to $20 million. That was some years ago. Since that time, they have enlarged the scope of the project, and the costs have gone up. But the figures stated by the Senator from Colorado are correct. The whole, broad project has been enlarged a great deal and what they think they can accomplish has been elaborated upon a great deal more than was anticipated at the beginning.

I wish to state for the RECORD, because I think it should be stated, the other side of the question. We have appropriated a great deal of money, and the amount necessary to close the project down, I think we are all agreed, would be about $36 million, to pay the contract liability unrecoverable costs and other necessary costs. So that factor has to be considered.

I think the original mistake made, with all due respect to the head of the National Science Foundation—and I believe the Senator from Colorado will agree with me—was that they were completely naive, in the beginning, about how to contract for anything. I believe they would have been better off, dollarwise, if they had turned over the contract and the proceedings to the General Accounting Office, or to Army Engineers who knew something about it. However, that is, so to speak, water that has been left in the ocean; and we still have the Mohole project, with all it entails, and all of the vast amount of interest in it, both national and international, and the stamp of approval of most members of the National Academy of Sciences and many others, including those who look forward to a great deal of spinoff in marine engineering, in the field of oceanography, in the field of drilling, and in the field of being able to know how to use a platform in the ocean. Those potential benefits still exist.

Mr. President, on this project, I have gotten together a set of facts which, as it were, the proponents of Mohole would give to the Senate if they were called on a witness stand as of today.

The project, of course, is an effort to explore and sample all layers of the earth's crust, and the unknown mantle beneath the crust. They plan to drill near Hawaii, to a depth of 32,000 to 35,000 feet, in 15,000 feet of water. The mantle comprises 85 percent of the earth's volume.

Mohole is the largest undertaking in the field of the Earth Sciences. We have space scientists; and the scientific aspects of this project involve the whole field of oceanography. This is the third big field in which all scientists are groping in the areas of basic research, as well as the hope for actual valuable commercial spinoff.

Supporting agencies are National Academy of Sciences, Inter-Agency Committee on Oceanography, International Union of Geodesy and Geophysics, and liaison from NASA, the Navy, the U.S. Geological Survey and AEC.

All these agencies are vigorous and active sponsors of the project. Mohole is the highest priority project in the U.S. participation in the international upper mantle project, which is a combination of scientists from all over the world in these fields. Forty countries are participating, including Russia, who is competing with the United States by preparing to drill on the Kola Peninsula, at Azerbaidzhan and the Kurile Islands.

The Mohole inner space probe will provide fundamental data which will contribute greatly to our knowledge of the nature and composition of the earth as a planet. Space in this fact sheet does not permit a description of all the benefits to be gained from coring the mantle, such as guiding our reasoning with regard to phenomenon already gathered from such celestial bodies as Mars, Venus, the Moon; predicting earthquakes; increasing our knowledge and capabilities in exploring the earth's mineral resources; giving us a better idea of how much heat in the mantle can be ascribed to radioactivity, and how much to other sources as yet unknown. It will help our Nation maintain its leadership in science and enhance our international prestige.

PROGRESS TO DATE

It is a venture already 4 years underway with most technological problems solved and much of its equipment procured and fabricated or nearing completion. That statement is borne out by all the evidence. The total integrated drilling unit had to be conceived, studied and developed. This represented the efforts of a large team of engineers and experts carefully selected and assembled from throughout the United States for their particular capabilities.

The drilling will be from a floating platform of islandlike stability which itself constitutes a breakthrough in marine engineering and naval architecture. This great mobile oceangoing research vessel is under construction.

It was first thought that they could construct it on the east coast, but they found that, the project again being enlarged from the ocean platform itself, if that were done, they would have to go clear around by the Straits of Magellan; so, a bid having been made by a firm in California, National Steel, that firm is actually building the vessel.

Mohole has produced 103 inventions to date, of which 15 have already been approved for patent application.

This project has already received—and the evidence will bear this out—national and international acclaim. Over 400 technical or scientific presentations have been made here and abroad and over 50 scientific, engineering and naval architectural papers have been published. Recognition of the need to complete the project has not been limited to scientists. Educators and editors of school textbooks, encyclopedias and school science publications have recognized and stressed its importance.

Industry and Government are readying their forces for the exploration of the oceans, which comprise 70 percent of the earth's surface, and have established liaison with Project Mohole to take advantage of the platform design and new materials and techniques developed for deep ocean operations.

Mohole research and development work is regarded as being of vital importance. Of course, many articles have been written in the trade magazines of marine engineering, steel, ocean work, and science, on this phase of the project.

The stable platform and its future prototypes can be used as: First, an observation station and laboratory for experiments at sea; second, a backup vehicle for submarine rescue and salvage; third, a means of accurately placing scientific and ASW equipment on the sea floor; fourth, a vehicle for detection and recovery of lost equipment in the deep ocean, such as missile launching vehicles; fifth, a means of obtaining scientific information of importance to military operations; sixth, a platform on the ocean for satellite tracking, concerning which they are working with NASA; and seventh, a vehicle for equatorial launch of missiles.

I do not know what the value of that is, but I imagine that if the vehicles are launched close to the equator more benefits are derived. There are many other benefits to the project. The testimony is replete with these things. We have the so-called spinoff benefits.

Many believe it is economically mandatory that we exploit our oceanic natural resources. The many new tools and techniques from Project Mohole will help us to maintain world leadership in developing energy, food, and mineral resources.

As to the costs involved, I hope that the Senator from Colorado will correct me. I believe that our figures are exactly the same.

The Senate Appropriations Committee report No. 1433, of August 4, 1966, states with respect to the financing of H.R. 14921:

> Restoration of $19,700,000 is recommended by the committee in order to continue Project Mohole.

That is for the next fiscal year.

The report further states:

> The total amount provided for the National Science Foundation is $499,699,000, which is

$25,301,000 below the budget estimate. Completion of the fully equipped platform is planned for December 31, 1967. Funds to complete it would be furnished by the $19,700,000 budgeted for 1967, plus $10,500,000 of the $18,500,000 to be budgeted for 1968. The pre-operational costs will then total $85,600,000, and, with the addition of operational costs of $41,500,000 to be provided through 1971, will provide a total amount of $127,100,000 through the drilling of the first hole.

There is also testimony that the operational costs, after this is done, would be $13 million a year after the first hole is drilled.

The report further states:

The committee believes it would be a serious mistake to suspend the project. The loss in prestige and in progress would be tremendous. The monetary costs are sizable; the irrecoverable costs and the contract termination costs are estimated at $36,600,000.

I think that fairly states the facts involved in this amendment.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. DOUGLAS. Mr. President, do I correctly understand that this hole or these holes will be drilled at a point at which the depth of the Pacific Ocean is the greatest?

Mr. MAGNUSON. No. It would be drilled at the point at where the crust which is over the mantle of the earth is the least thick. Somebody asked how they could find this out. They do that by seismographic findings.

The scientists first thought that they had found a place off the coast of Cuba at which the crust was the thinnest. However, after some more studies and going to this area, they discovered that, north by northwest of Hawaii the crust was not as thick.

Mr. DOUGLAS. Mr. President, when the Senator says "crust," does he mean the floor of the ocean?

Mr. MAGNUSON. The Senator is correct. The floor of the ocean, which goes down to the hard mantle.

Mr. DOUGLAS. How far down are the holes to be drilled?

Mr. MAGNUSON. The hole drilling will be 32,000 to 35,000 feet. It will be about 15,000 feet of water, and then it will be from 17,000 to 20,000 feet below that.

Mr. DOUGLAS. Is there any anticipation as to what they will find once they get there?

Mr. MAGNUSON. I suppose they want to find out first the nature of the crust, and, second, the nature of the mantle. They also want to find out how much radioactivity there is and how it affects the oceans.

A great deal of basic research is involved.

They hope to find these things:

First. A better age determination for the earth.

Second. A determination of the age and origin of the ocean basins and their contained sea water.

Third. A better understanding of how the earth-moon system came into being.

Fourth. An understanding of the distribution of the chemical elements in the earth, which in turn bears on the origin of the sun and perhaps other stars.

Fifth. An understanding of the origin of continents and whether or not they are drifting about on the earth's surface.

Sixth. Knowledge of the mantle's composition and the origin of magnetic and gravity anomalies that have been discovered beneath the sea.

Seventh. A better understanding of the origin of life and the carbon cycle with which it is closely connected.

That is closely connected with human beings and life itself. That is what they suggest they would like to explore generally.

Many specifics are involved in this. They would explore generally on the floor itself. Some of the items which I have read come from the spinoff that they claim on the building will be derived from the ships and the platform. Also, while they are there, they would learn a lot about the ocean in that area.

When they complete their work there, they can change their location and do any general thing in oceanography. They would have a stable platform.

May I say to my friend, the Senator from Illinois, that beginning on page 1629 of the transcript of hearings many questions were asked, some of which are similar to the questions asked by the Senator. I think the Senator will find it very interesting.

Mr. MOSS. Will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. MOSS. Mr. President, I oppose any cut in the appropriation for Mohole. I believe the amount requested is $19.7 million. The amount requested by the President and set out by the Appropriations Committee is modest indeed.

The Senate on yesterday voted on our space exploration program and we will spend approximately $5 billion for that.

I believe that the exploration of the floor of the ocean and the crust of this planet and the mantle beneath it is of equal scientific value to us, perhaps even more than the exploration of space. The latter is a little more dramatic, because we can have the television cameras bring in the picture of our astronauts making flights around the globe—and this is something that we should do. I do not say that I am opposed to that. But I believe that this relatively modest amount for Mohole is of equal value, and I believe it would be penny wise and pound foolish if we were to cut it off.

Project Mohole is the name given to the U.S. program for deep drilling which is part of the deep crustal studies of the earth undertaken by a number of nations. The international program is known as the Upper Mantle Project. The U.S. purpose is to drill through the earth's crust, and into the mantle, a core some 1,500 miles thick that constitutes the bulk of the planet. This will help to determine the distribution of chemical elements within the deep crust of the earth and the mantle and will provide information on the age and origin of the ocean basins.

The hole will be drilled near Hawaii where the earth's crust is very thin. The drilling will take place from a unique drilling platform that will be capable of navigation and sustaining itself on location. The operation will drill through 15,000 feet of water and 17,000 feet of rock to a total depth of 32,000 feet below sea level.

The engineering effort being expended on Project Mohole will not bring scientific knowledge alone. The knowledge gained in developing new tools, techniques, and equipment will increase the depth capability of the oil industry by 40 percent. Deep drilling is also of interest to the budding ocean mining industry which is engaged in deep ocean and continental shelf sampling and mining activities. The new drilling technology developed for Project Mohole will find immediate application wherever drilling, coring, and sampling are done, whether on land or sea.

The long range importance of the knowledge to be gained through Project Mohole should not be underestimated. This project will be the first step in opening up vast areas of rich mineral deposits known to exist in the ocean. The use of heat from the earth's mantle can be used to bring mineral rich waters near to the surface. Or, this heat may be utilized as a source of power. Earthquakes may be more easily predicted through the better knowledge of the mantle and its heat sources.

These benefits are appreciated by the Russians. An article from the Soviet Weekly this year told of the Soviet efforts to recover samples from the earth's mantle. The Soviet Union already has begun drilling, the only country to do so of the seven countries that have deep drilling programs in the international project.

The expenditure on equipment to complete the project has also produced valuable gains. The drilling platform being constructed is the largest ever designed. It provides such great stability that drilling can continue even in 30-knot winds and 25-foot waves. The drilling system will have a capacity 40 percent greater than the present state of the drilling art. NASA and the Navy have expressed keen interest in this platform. This type of platform could provide for drilling at great depths, a tracking station, recovery of military equipment, and a submarine rescue base.

The new diamond drill and turbocorer being developed will provide a means of changing bits without withdrawing the entire coring apparatus from the ground. This bit will be field-tested shortly. The widespread value of this development, especially in the oil industry, is recognized by everyone.

The general advancements in the state of drilling art directly attributable to this project will greatly benefit the U.S. drilling industry which spends an estimated $350 million a year in offshore drilling. If the United States is to lead the way in utilizing the oil and gas fields under deeper areas of the ocean, they will need the information gained from Project Mohole.

President Johnson has asked for $19.7 million for Project Mohole in fiscal year 1967. During the years 1962–66 a total of $55 million has already been spent on the program. The decision is now

whether to throw away these "sunk" costs or to provide the additional funds to carry the program forward. The funds provided will be spent on contracts in California, Louisiana, New York, Ohio, Utah, Oklahoma, Texas, Virginia, New Jersey, Michigan, Pennsylvania, Maryland and Mississippi. The benefits derived from these contracts will benefit the entire United States, and especially the States with offshore oil. The benefits in oceanography will interest all those who depend on the ocean for a livelihood.

The United States has already invested in the Mohole program $55 million. This includes:

First. The largest and most stable ocean platform yet devised, 10 percent complete.

Second. Dynamic computerized positioning system, 90 percent complete.

Third. Improved turbocorer for fast drilling, 95 percent complete.

Fourth. Revolutionary retractable diamond coring bit, prototype built.

Fifth. Largest drawworks known to the world, 50 percent complete.

Sixth. Automated pipe racking assembly—after 15 years' effort, completed.

Seventh. Largest logging winches in the world, completed.

Eighth. Deep ocean untended digital data system, completed.

Many other phases of the project are in similar stages of completion.

The benefits to be gained from this program should be carefully weighed against the costs of delaying a program so advanced. In my view, this is an undertaking where the benefits are well worth the additional investment.

I ask the manager of the bill, the senior Senator from Washington, if it is not a fact that, having gone this far in preparing for Mohole, having done research and development and actually begun the construction, we would really be wasting money if we now stopped at this point and tried to roll it up and close it, as it were, and spend nearly as much in doing that as if we went ahead now and actually made the bore into the crust.

Mr. MAGNUSON. I believe that the assumption of the Senator from Utah is correct, based upon the assumption that we will learn many things. If we would not learn anything and if the project had no value for basic research and many other things that have been discussed, I would say that we should stop it. However, the further we go in this field, the more benefits we find. Of course, some of the benefits are intangible, some must be anticipated, some we hope to find. But the Senator has made a good comparison.

Let us consider this year's budget. All the people in the world—scientists and others—are concerned with three great scientific areas. One is space, one is the oceans, and one is what is called earth sciences.

We are spending $5 billion on space, and for all of oceanography—it is in 17 departments, Woods Hole, and others—we are spending about $211 million. Five billion dollars is provided for space and $211 million for oceanography. It is true that this year the amount for Mohole will be $19,700,000.

Mr. MOSS. I thank the Senator.

I believe very much in this project. It would be foolhardy for us to cut off such a program.

Mr. MAGNUSON. I mention some of these benefits, and I am repeating what people have said and what the testimony seems to be replete with.

We cannot guarantee anything. No field is more difficult to discuss with members of the Committee on Appropriations or members of legislative bodies—including the Senate—than the field of basic research.

Many times a man has come in who has had a grant for basic research, and I would say: "All right; what have you to show for it?"

Perhaps he does not have anything to show at that moment, in June, but he might have something in August. Perhaps he has some of it in his head and has experiments in progress.

Sometimes I believe that if he concocted something, put it on the table, and said: "This is what I have to prove for it"; and were asked, "What does it do?" And he answered, "It does this and that," we would say it is a pretty good job.

Basic research is a difficult field, and earth science is in that preliminary field.

Mr. INOUYE. Mr. President, will the Senator yield?

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield to the Senator from Hawaii; and then I shall yield to the Senator from Texas.

Mr. INOUYE. Mr. President, how much time remains?

The PRESIDING OFFICER. Five minutes remain on the amendment, and that time is under the control of the Senator from Washington.

Mr. FONG. Mr. President, I should like to have time yielded to me.

Mr. MAGNUSON. I shall be glad to yield.

Mr. CLARK. Mr. President, I ask that time be yielded to me, too.

Mr. MAGNUSON. The Senator from Colorado, the majority leader, and I have an agreement that if we run out of time, we shall ask unanimous consent to provide time to Senators who wish to speak on this matter.

Mr. INOUYE. Mr. President——

The PRESIDING OFFICER. How much time has the Senator been yielded?

Mr. INOUYE. Three minutes.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 3 minutes.

Mr. INOUYE. Mr. President, I have listened to the opening statement made by the distinguished Senator from Colorado, in opposition to the Mohole project and should like to spend a few moments responding to it.

It is true that the original estimates submitted by the Mohole project supporters were much less than the present estimate.

But I feel certain that the Senator from Colorado will agree that our Mohole undertaking, like our space efforts, is a visionary type of project.

In 1959, when we started the space project in earnest, I do not believe that any Senator—or, for that matter, anyone in the scientific family—had any idea as to what the cost would be to the United States to place a man on the moon. Since 1949, we have spent $22 billion on a space program, and yesterday the Senate approved the appropriation of $5 billion-plus to continue that project.

I am for the space program. The record indicates that I have supported it every year since coming to the Senate. But I believe that we should also consider the importance of the Mohole project and what it is expected to accomplish. We are asking in the bill for $19.7 million to continue this project.

A question has been asked as to whether there will be any benefits. The distinguished Senator from Washington has listed many benefits, but I should like to add a few which I feel are of personal concern to us in Hawaii.

Mr. PASTORE. Mr. President, may we have order? I am sitting next to the Senator from Hawaii, and I cannot hear him.

The PRESIDING OFFICER. The Senate will be in order.

Mr. INOUYE. The many scientists supporting the project have indicated that it is possible that this project will supply answers to how to predict earthquakes.

Mr. President, earthquakes are of great concern in the lives of Hawaiians. As everyone knows, we have suffered from earthquakes and tidal waves. If the Mohole project can somehow supply the answer to the prediction of earthquakes and tidal waves, the Nation, my State, and many other countries would save many millions of dollars and hundreds of thousands of lives.

In addition, if this type of platform had existed many years ago, perhaps it would have been possible to save the lives of the men who had been isolated in the submarine, U.S.S. *Thresher*. At that time the United States did not have a stable deepwater platform. If this type of platform had been available I feel certain it would have been used to recover the bomb that was unfortunately dropped off the coast of Spain. Scientists have estimated that if the bomb had gone down another 400 feet in the ocean, it would have been impossible with present equipment to have recovered this bomb.

Time will not permit us to cover this subject completely. I shall support this venture. It is a visionary venture. It is important, and it is in the interest of our Nation.

Mr. President, I ask unanimous consent to have printed in the RECORD a fact sheet on the Mohole Project.

There being no objection, the fact sheet was ordered to be printed in the RECORD, as follows:

MOHOLE PROJECT FACT SHEET

I. WHAT IS IT?

1. It is the United States' effort to explore and sample all layers of the earth's crust and the unknown mantle beneath by core drilling near Hawaii through 15,000 feet of water and about 17,000 feet of rock to an approximate total depth of 32,000 feet. All equipment, machinery and instrumentation has been designed to perform to 35,000 feet below sea level.

2. Mohole is the largest single undertaking in the Earth Sciences, administered and supported by the National Science Foundation. Additional sponsoring agencies include the National Academy of Sciences, Inter-Agency Committee on Oceanography, International Union of Geodesy and Geophysics, and liaison from NASA, the Navy, the U.S. Geological Survey, and AEC. Mohole represents the U.S. participation in the International Upper Mantle Project which is participated in by 40 countries including Russia. She is competing with the U.S. by preparing to drill on the Kola Peninsula, Azerbaidzhan and the southernmost Kurile Island north of Hokkaido, Japan.

3. The drilling will be accomplished from a stable platform which itself constitutes a breakthrough in marine engineering and naval architecture. It will have the capacity to move itself from location to location—ocean to ocean—and to handle great loads with minimum motion. This particular platform is under construction and is being watched with keen interest by ship designers and shipbuilders throughout the world. When it physically demonstrates capabilities proven by model basin tests, many versions will come into use worldwide for commercial and military applications.

4. This project has already received national and international acclaim. Over 20,000 separate pieces of information have been mailed to the general public by Project Mohole in response to individual and industrial requests.

Over 400 technical or scientific presentations have been made here and abroad to national and international professional societies and to the general public by Project staff members.

More than 50 scientific, engineering and naval architectural papers have been published in such organs as the *Journal of Geophysical Research, Geophysics, Geological Society of American Bulletin, Transactions of the Society of Naval Architecture and Marine Engineering, Petroleum Engineering, Oil and Gas Journal, World Oil, Newsweek Magazine, U.S. News and World Report.* Textbooks also mention Project Mohole as a significant endeavor being undertaken by the U.S. government.

5. The sedimentary drilling program (now called deep-ocean drilling program) and the Mohole Project are not comparable programs. The sedimentary drilling program is dedicated to sampling soft sedimentary deposits on the ocean floor but well above the mantle. The core holes will penetrate only a few hundred feet, and are limited to the performance of a single bit, because the borehole cannot be reentered after the drill stem is removed. The objectives of Mohole have been reiterated many times, namely, to core a hole in the earth and secure a sample of the *mantle.* This exploration is in quest of knowledge relative to the basic planetary evolutionary processes. Concurrently, many desired scientific samplings and measurements will be accomplished.

The two programs are decidedly different both in objectives and in equipment required to perform each job. The Mohole equipment could, of course, perform the sampling desired by the sedimentary drilling program. On the other hand, available equipment that could possibly do the sedimentary drilling program could by no stretch of the imagination approach the accomplishment of the Mohole deep drilling program, nor secure the many other scientific measurements that are programmed.

The sedimentary program is limited to the capability of holding an *approximate* position, lowering a core barrel on drill pipe to the ocean bottom and coring till the bit is dull which completes that hole.

II. WHY DID THE UNITED STATES DECIDE THE PROJECT WAS NEEDED AND WILL IT PAY FOR ITSELF?

Succinctly, Mohole is needed to give us knowledge of our most basic resource—the earth itself. It is a venture already four years underway with most technological problems solved and much of its equipment procured and fabricated or nearing completion. The total integrated drilling unit had to be conceived, studied and developed. These developments represent the efforts of a large team of engineers and experts carefully selected and assembled from throughout the United States for their particular capabilities.

In addition to continuing technological and engineering successes, this project has and will make significant contributions to industry, commerce, to the support of human life, government, and science.

1. As of March 1966, Mohole has produced 103 inventions, of which fifteen have been approved for patent application.

2. The mining of rich deposits of raw metals on the deep ocean floor—which are known already—will commence in the near future to replenish our continually diminishing supplies. Stabilized position-holding platforms for which Mohole is a prototype will play key roles in such operations. In fact, some of the techniques which already have been developed by the Project are now in use to recover hydrocarbon and minerals off the coasts of several nations. The metals of our ore deposits ultimately came from the mantle, and understanding their concentrations in mantle materials would develop a better idea of the process by which they have been removed, moved and finally redeposited in the crust. Therefore, if we understand how ore deposits are emplaced in the mantle, we will be better able to guide prospecting for deposits which are not exposed at the land surface.

As the world's population increases, it shall be necessary for us to explore the oceanic areas in greater detail for energy, food and mineral resources.

3. The use of a heat source installed on the ocean bottom can cause convection currents that will bring the mineral-rich lower strata of water to the surface. This influx of highly fertile water from the fallow depths will cause an accelerated growth of both fish and plants. In the not too distant future, the seas will be "farmed" to produce life giving substance.

4. Knowledge of heat levels in the earth's interior could point the way toward possible utilization of this planet's internal heat through thermal wells. Technological advances through the Mohole Project will assist in the development of ways and means of converting this tremendous heat into electricity, thus augmenting the world's present source of power.

5. NASA has expressed to the National Science Foundation interest in the Mohole platform as a prototype for: a) marine satellite tracking stations, b) testing various kinds of dangerous new rocket fuels at sea, and c) stabilized marine launching stations including those for highly desirable equatorial launchings.

6. The United States Government is losing many millions of dollars in boosters which fall into the deep ocean. With the equipment, and with the know-how in part acquired through this project, we will be able to locate, identify, and then to lift from the ocean floor such objects up to one million pounds in weight.

After the submarine Thresher went down in the Atlantic, the Deep Submergence Systems Review Group came into existence by order of the Secretary of the Navy. At the time of the accident, the U.S. could not provide rescue for a submarine disabled on the bottom with its crew aboard in depths much greater than 500 feet. The Navy Department has informed the Foundation that stable platforms of a design similar to the Mohole platform would be useful for submarine rescue backup. The Mohole platform itself will be capable of lifting a submarine from the bottom to a shallow depth where rescue could be accomplished. It could also drill into submarines and other sunken vessels and, with the use of low density glass micro balloons (developed through Project Mohole), displace the water and provide buoyancy for recovery of the vessel.

7. The Navy is also interested in this platform design for replacing or removing heavy deep sea anti-submarine warfare equipment, for searching for and recovery of lost equipment from the sea floor and as a stable oceanic research station. *In short, the U.S. Government stands to realize many other benefits through this platform design, including nuclear and other payloads that may be lost in deep waters,* e.g., if the recently lost hydrogen bomb off the southern coast of Spain had fallen in waters only 400 feet deeper, existing equipment and methods could not have recovered it.

8. Fundamental data acquired by Mohole will contribute towards techniques that will enable geophysicists to accurately predict earthquakes.

Since the energy for earthquakes and volcanism has its origin in the mantle, it behooves us to know as much about the mantle as possible. This energy is thermal and one possible source is radioactive elements such as potassium uranium and thorium. Therefore, a sample of the mantle will give us a better idea of how much heat in the mantle can be ascribed to radioactivity; how much is due to other sources as yet unknown.

9. The unique depth capability which is only available through the Mohole drilling system will enable the U.S. to penetrate the deepest oceanic sediments which many scientists have postulated contain the remains of the earliest forms of life on this planet.

Thus the United States has the singular opportunity to determine the origin of life on this planet.

10. Approximately 600 meteorites strike the earth each year. We recover about 20. Scientists believe these may be remnants of a disrupted planet, and that these rocks are similar to those of the earth's crust, mantle or core. It is known that the mass and density of the moon is such that it could have been spun off the earth. With samples from the mantle through Project Mohole, many of these issues should be clarified.

Mohole will assist in gaining the complementary information from the earth as a planet to guide our reasoning with regard to such similar celestial bodies as Mars, Venus and the moon. Since the mantle comprises 85 percent of the volume of the earth, we must know its nature and composition to tackle the most fundamental problems concerning the earth as a planet.

11. At the annual meeting of the production division of the American Petroleum Institute, it was indicated that within 5–10 years the petroleum industry will be drilling wells in 3,000 or more feet of water, and that improved drilling platforms, better methods of positioning, free floating drilling rigs over the holes, derricks, and hoisting systems built to handle twice the loads now carried by most rigs, would be required. Most of these tools and techniques have been and will be spin-offs from Project Mohole. Much of this already has found its way into commercial use, and in fact already has led to substantial reduction in the cost of deep drilling. This know how will expand the petroleum industry's drilling depth capability by as much as 40 percent, and most certainly will increase substantially the hydrocarbon resources of United States interests. Project Mohole has

been responsible for consolidating the individual efforts of many oil companies and associated manufacturers. Mohole accomplishments have resulted in designs that had no prior existence, e.g., a) a stable drilling platform, b) a riser-buoyancy system, c) adequate drill pipe, d) borehole reentry and a dynamic positioning system. The above enumerated breakthroughs constitute major spin-offs to the petroleum and related industries.

III. WHAT COSTS ARE INVOLVED

The National Science Foundation has asked for $19.7 million for Project Mohole for FY '67.

$55 million has been provided from FY '62 through FY '66.

The Foundation estimates the total cost of completing Project Mohole, including three years of drilling, to be $127 million. This is broken down as follows:

| | Million |
|---|---|
| Completely equipped platform prior to drilling | $85.6 |
| Drilling operating costs for 3 years, at $13.0 | 39.0 |
| Nonrecurring costs (first 6 months of operations) | 2.5 |
| Total | 127.1 |

Termination costs would be between $35–45 million.

The prime contractor for the Mohole Project, Brown & Root, Inc., of Houston, Texas is operating under a cost-plus-fixed-fee, a fee which does not escalate, and which remains at $1.8 million for the entire contract period.

Subcontracts thus far have been awarded in 14 states. Less than 15 percent of the total project cost will accrue to the State of Texas.

The following is a list of a few major Project Mohole engineering accomplishments, giving costs and status:

1. Mohole drilling platform. ($30 million competitively fixed price contract awarded in 1965—hull structure being fabricated.)

2. Unique platform dynamic and computerized positioning system. (Cost $3 million—95 percent completed.)

3. Improved turbocorer and diamond bits for fast drilling in ultra hard rock without rotating drill pipe and associated electronic monitoring package. Turbocorer has been satisfactorily field tested in similar rock to that expected in lower crustal layers. ($200,000 and only minor modifications to be completed.)

4. Revolutionary retractable diamond coring bit which enables changing of bits without pulling up entire string of drill pipe. (Cost $150,000—prototype being fabricated.)

5. Largest drawworks (hoisting power) known to world drilling industry (4000 H.P.). (Cost $300,000; 65 percent completed.)

6. Automated pipe racking assembly. (Cost $500,000—first successful attempt after fifteen year industry effort.)

7. Two largest logging instrumented winches in the world capable of spooling 40,000 feet of 7 conductor double armored logging cable. (Cost $360,000—100 percent completed.)

8. Deep ocean untended digital data acquisition system which will measure the velocity and direction of ocean currents at 17 selected depths, temperature at 7 selected depths, wave heights and periods as well as meteorological information and transmit all this to a shore base. Will be planted at the Mohole site off Hawaii in about 15,000 feet of water in near future. (Cost $300,000—98 percent completed.)

9. Sonar reentry system to enable reentering hole in ocean floor with drillpipe. (Cost $250,000—60 percent completed.)

The PRESIDING OFFICER. Who yields time?

Mr. YARBOROUGH. Mr. President, will the Senator yield me 1 minute?

Mr. MAGNUSON. I yield.

Mr. YARBOROUGH. Mr. President, this project has been criticized on the ground that the cost has gone up over the original estimates. The only two efforts being made in the world—or that have been made in the world—to bore through the earth's crust and get down to the mantle have been the one underway by the United States and the one by Russia. This is the first experience of the human race in the cost of this project. Mankind has been building on this earth for thousands and thousands of years, and if people just followed the example of Congress with the Rayburn Building or the New Senate Office Building or the east front, they would know that estimates go up and up.

This is far more reason for trying something new, untried, and that has never been done before, than building a new building where we have been building multistory buildings for at least 6,000 years.

The PRESIDING OFFICER. The Senate will be in order.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed in the RECORD the message from the President dated May 18, 1966, urging Congress to appropriate the funds so that what the President calls "this vital instrument" can begin promptly.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

MESSAGE FROM THE OFFICE OF THE WHITE HOUSE PRESS SECRETARY, MAY 18, 1966

(The White House made public today the following letter from the President to the President of the Senate and the Speaker of the House of Representatives:)

Hon. HUBERT H. HUMPHREY,
*President of the Senate,*
*Washington, D.C.*
Hon. JOHN W. MCCORMACK,
*Speaker of the House of Representatives,*
*Washington, D.C.*

DEAR MR. PRESIDENT: (DEAR MR. SPEAKER:) I am pleased to forward for consideration by interested committees of Congress the National Oceanographic Program for Fiscal Year 1967. This report describes the activities of all Federal Agencies currently engaged in oceanography.

Although we are daily learning more about the stars and skies above us, the sea around us remains largely a mystery. This "hydrospace" covers seven out of every ten miles of the earth's surface, yet we have glimpsed only faintly the vast promise which the world's oceans hold for the benefit of mankind.

That promise is as boundless as the sea itself. One day, the sea may yield fertile harvests to nourish the hungry. Ultimately, we may be able to tap the abundant store of minerals, chemicals, and energy locked in the sea so that no nation—large or small, young or old—will lack the resources essential for the prosperity and well-being of its people.

Our National Oceanographic Program will help us drive back the frontiers of the unknown through marine research, surveys, and ocean engineering. From this work, we will gain knowledge which will help sustain our prosperity, enhance our national defense, and:

Develop faster and more comfortable means of transportation.

Step-up our attack against water pollution.

Permit more accurate forecasts of the storms and tides that endanger life and property.

Exploit marine and mineral resources to their fullest potential.

Over the past years, we have moved closer to the fulfillment of some important objectives. Recent significant and exciting advances include:

1. The Sea Lab II—This is the Navy's "Man-in-Sea" project. Conducted off the coast of California late last year, it showed that man can live and work for long intervals, and at great depths, in an undersea habitat.

2. Project Mohole—Design of the world's largest stable deep-ocean drilling platform has been completed by the National Science Foundation. I urge that Congress appropriate the funds so that construction of this vital instrument can begin promptly. The Mohole Project will provide the answer to many basic questions about the earth's crust and the origin of ocean basins. It will teach us how to drill in the ocean depths—the prelude to the future exploitation of resources at the bottom of the sea.

3. Nuclear Research Submarines—A nuclear-powered long-endurance, deep-water research vessel is under construction by the Navy and the Atomic Energy Commission. When completed, this vessel will help us map the ocean bottom, give us new information on the control and use of marine life and minerals—and how to find and retrieve from the ocean objects of commercial, scientific, and national security value. This revolutionary vessel will perform a variety of tasks thought impossible only a few short years ago.

The Government-wide character of the National Oceanographic Program bears special mention. Through the planning of the Inter-Agency Committee on Oceanography of the Federal Council for Science and Technology, the many separate elements of the program are coordinated into an effective and efficient effort. Working together with industry, the universities, and state and local governments, the Federal Government must continue to keep this Nation in the forefront of oceanographic science and engineering.

As Longfellow well observed, the sea divides—but yet unites—mankind. Through our exploration of the sea, we can move toward a new era in which science can fulfill its creative promise to bring a better and happier life to all the peoples of the world.

Sincerely,

LYNDON B. JOHNSON.

The PRESIDING OFFICER. All time of the Senator from Washington [Mr. MAGNUSON] has expired.

Mr. ALLOTT. Mr. President, I yield 6 minutes to the Senator from Hawaii [Mr. FONG.]

The PRESIDING OFFICER. There are only 3 minutes remaining to the Senator from Colorado [Mr. ALLOTT].

Mr. ALLOTT. Mr. President, on the bill.

The PRESIDING OFFICER. Six minutes are yielded on the bill for the Senator from Hawaii [Mr. FONG].

Mr. FONG. Mr. President, I rise in opposition to the amendment of the Senator from Colorado [Mr. ALLOTT]. I regret that the motive of the distinguished Senator from Colorado in connection with Project Mohole has been questioned. I know that the distinguished Senator from Colorado is a man of great sincerity, integrity, and character. His motives in opposing Project Mohole are absolutely beyond reproach.

I strongly denounce any attempt to question his integrity in this matter.

I am very strongly in favor of appropriating $19.7 million in order to continue the Mohole program, as recommended by the Senate Appropriations Committee.

Yesterday we appropriated $5 billion for the space program. The sum of $19.7 million for Project Mohole is only one two-hundred-and-fiftieth of that tremendous sum of $5 billion for outer space.

The situation reminds me of a young man who asked an older man whether he knew how many stars there were in the heavens. The older man replied, "Why talk about the heavens so far away when you do not even know how many hairs there are on your head?"

In exploring outer space, we are trying to probe the universe, yet we know so little of the earth we inhabit. This is the earth which gives us our sustenance—the land which makes possible the civilization we have. We certainly should give more attention to the earth planet we live on even while we explore outer space. I am not opposed to the outer space program, but I believe we should devote more of our efforts toward the support of the earth sciences.

Project Mohole gives emphasis to the study of our earth—a subject neglected for too long.

The project, in my opinion, is necessary, feasible, and important to the national interest. In the words of Dr. George P. Woollard, director of the University of Hawaii Institute of Geophysics, Project Mohole is "the most significant single scientific experiment of the century in earth science."

We in Hawaii agree with him. Our people have a keen appreciation of the significance of this project. As an island community, we have experienced costly volcanic eruptions and destructive seismic waves caused by earthquakes. We have been told by earth scientists that Project Mohole can advance the scientific knowledge of the energy behind the forces in the earth's interior—knowledge which will help the scientists to understand more fully these earthquakes and eruptions.

Project Mohole would not only provide an insight into many earth processes that are not now understood, but it would also have a significant bearing on the planetary space exploration program.

In the opinion of the National Aeronautics and Space Administration, the characteristics and operational performance of the drilling platform are closely related to those which would be required in a stable ocean platform as a base for an instrumentation facility for space operations and support. NASA further believes that the geological findings of Mohole, when correlated with scientific knowledge expected to be acquired through lunar planetary exploration, could make a significant contribution to the study of the origin of our solar system.

As for the possible defense applications of the Mohole platform, I am advised that the Navy considers the lift capacity, platform stability, seaworthiness, and positioning capability provided in the platform attractive for defense-related areas such as first, submarine rescue backup; second, accurate placement of bottom-mounted antisubmarine warfare equipment; third, recovery of lost equipment from the deep sea; fourth, provision of scientific information of military importance; fifth, ocean bottom engineering and construction; and sixth, support of bottom search operations.

Project Mohole would also greatly advance techniques for the exploitation of the earth's natural resources, particularly in the mining and petroleum industries.

It was the first exploratory tests off lower California under this project to demonstrate the feasibility of drilling from a floating platform in deep water that proved the accessibility of offshore oil and gas fields out to and beyond the edge of the Continental Shelves. This development has much to do with the subsequent expansion of our oil and gas reserves at a time when domestic reserves were inadequate.

Also, from a practical point of view, it is in effect extended our national boundaries out to the 100-fathom line, which in places lies 100 miles offshore. It was the successful tests of the turbo drill for Project Mohole that is now making it feasible from an economic standpoint to drill deeper exploratory oil and gas wells.

It was also the first floating platform tests that gave the impetus to offshore mining for diamonds off South Africa, tin off Malaya, iron off Japan, and gold off Alaska. The economic value realized to date from the technological advances achieved through pioneer developments under Project Mohole already far outweigh the total cost of the project.

Another aspect of the operation to date which should not be be overlooked is that the establishment of new offshore petroleum reserves has made the country less susceptible to political unrest, subversion, and confiscation of our oil investments in foreign areas.

It would be repetitious here to review in detail the far-reaching benefits expected from Project Mohole. Many Senators have already spoken with respect to the various benefits that would accrue to the United States and mankind from this program.

The distinguished Senator from Colorado [Mr. ALLOTT] said that the objectives of Project Mohole and the ocean sediment coring project are the same, except that Mohole would go deeper into the mantle. Apparently there is some confusion between the ocean sediment coring program and Project Mohole.

Mr. President, I ask unanimous consent that the following statement by the National Science Foundation relative to the objectives of sediment coring and Project Mohole be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF NATIONAL SCIENCE FOUNDATION

Both the ocean sediment coring program and Project Mohole are concerned with gaining new data about the earth, and both will utilize floating drilling vessels. But the actual objectives and the equipment needed are quite different. The sediment coring program will be limited to the upper one to two thousand feet of soft sediments that cover the floor of the ocean; the Mohole, in contrast, will penetrate below these sediments through some 15,000 feet of hard crustal rocks and finally into the mantle. The projects are thus complementary rather than duplicative, and it is a mistake to say they will do the same thing.

The crust of the earth beneath the oceans consists of three layers. The uppermost of these consists of soft, unconsolidated sediments, from one to two thousand feet thick. Below this is layer 2, 3,000 to 5,000 thick, about which we know very little except that it transmits earthquake waves at velocities of 4.5 to 5.5 kilometers per second. This layer may be all volcanic rocks, consolidated sediments, or a mixture of both. Layer 3 of the crust is 10,000 to 15,000 feet thick and we know virtually nothing about it except that it transmits earthquake waves at velocities of 6.5 to 7 kilometer per second. Below this lies the mysterious mantle that makes up 80 percent of our earth.

As has been stated many times, the ultimate objective of the Mohole is to obtain a sample of the mantle, but, as has also been stated, the overall objective is to sample all of the crustal rocks as well, extracting from them as well as from the mantle data that will greatly enhance our knowledge of the earth. Among the properties to be measured on both the samples and in the hole itself are: the density, the bulk chemical composition, the mineral phases, the natural radioactivity, the lead-uranium ratios, the gas content, the temperature gradient and conductivity, and the magnetic and electrical properties. And these types of measurements should give us invaluable data pertaining to problems such as: the age and origin of the earth; whether the earth is actually getting hotter or colder; the nature of the forces that make mountains and cause earthquakes and volcanoes; and the nature and possible origin of the earth's magnetic field. An extremely important feature of the Mohole is that it will allow us to put very sensitive instruments deep within the crust and into the mantle. Measurements with these instruments plus analysis of the samples will allow us to make much better interpretations of the geophysical measurements we make from the earth's surface and from aircraft or satellites. It will certainly also help our interpretations of similar measurements we hope to make on the moon and planets.

The measurements and data just described will come from all the crustal layers and the mantle, and most will be made in and on the hard rocks of crustal layers 2 and 3 plus the mantle.

In contrast to the Mohole, the sediment coring program will be limited to the soft sediments of the top crustal layer at a number of different locations. This in itself is well-worth doing, because a detailed analysis of the sediments from many parts of the ocean should give us a wealth of data on many problems, but the data from the sediments will be very different from the data of the deeper rocks; and we need both types.

It has been asked why not do both projects with the same vehicle. The answer is simple. Phase I of project Mohole showed that the sampling of the sediments, although difficult, was very easy compared with the problem of drilling all the way to the mantle. The sediment sampling can be done with conventional drilling equipment and by existing techniques; the Mohole, as subsequent engineering studies have shown, requires the development and construction of an elaborate and sophisticated drilling platform, incorporating new and different types of equipment. Obviously this also makes the Mohole

much more expensive than the sediment coring program.

The Mohole platform can of course easily core the soft sediments, and indeed it will, both during its shakedown cruise and at the Mohole site. But it is expensive both to build and to operate, and it would be uneconomical to use it for a long period of sediment sampling when this latter can be accomplished satisfactorily with a much more flexible and economic drilling base such as a vessel. The sediment-coring vessel, on the other hand, couldn't possible be used for the Mohole. In order to drill into the hard layers of the deep crust and the mantle, the drilling base—the platform—must be able to stay on station two years and more, in contrast to the day or two required to penetrate the soft sediments in any locality. This in turn requires much more elaborate positioning equipment, much more complicated electronic gear, larger and more elaborate drilling apparatus, and the equipment to re-enter the hole when the drill pipe has been pulled to change bits. It is not possible to add all these things to existing drilling vessels and still have them capable of drilling in 15,000 to 20,000 feet of water; they just can't carry it all. By the time a vessel large enough to handle all this was built, and by the time the more expensive equipment was added, the cost would be of the magnitude projected for the Mohole.

Much of the money spent to date on the Mohole has been for the design, model testing and fabrication of the drilling platform and the equipment which together will constitute a facility that will be used for scientific and engineering research for many years. Most of this equipment is not necessary for sampling just the sediments, and indeed could not be used on the smaller drilling ship that would be used for the sediment coring. Therefore, if the Mohole were to be cancelled, the funds already expended would have been largely wasted; and, as the committee report states, the funds expended plus termination costs would total at least $36 million.

The scientific objectives of Project Mohole remain as valid as when they were first stated; the difficult engineering problems involved in this drilling have been solved; and the platform with its new equipment has been started. To cancel the project at this time would be a loss to science, a blow to our international prestige, and a waste of the funds already expended.

Mr. FONG. Mr. President, the concept of drilling to sample the earth's mantle has been firmly accepted by all who have studied and investigated the project. Project Mohole has come a long way since it was first conceived as a scientific venture. The very difficult problems of designing the complex, oceangoing platform are past. Completion of the drilling platform, now well underway, is less than a year and a half away.

To suspend or abandon the project at this point would be most uneconomical. Since closeout costs would amount to between $35 and $40 million, it would be a costly proposition to give up now. It would be false economy to abandon the project when so much of the most costly work has already been done or committed.

Because Project Mohole has vast scientific value; because it has far-reaching application for the exploitation of mineral and other resources under the ocean; and because it has outer space and defense applications, I strongly urge the Senate to approve the recommendation of the Senate Appropriations Committee and restore in full the $19.7 million requested by the National Science Foundation for the project for the current fiscal year.

I urge Senators to reject the amendment of the Senator from Colorado [Mr. ALLOTT].

Mr. CLARK. Mr. President, I ask unanimous consent to proceed for 2 minutes.

Mr. ALLOTT. Mr. President, I yield 2 minutes on the bill to the Senator from Pennsylvania [Mr. CLARK], although I do not know which way he is going to argue.

Mr. CLARK. Mr. President, the Senator is extremely generous. I intend to oppose the amendment. In view of the arguments made against the exorbitant expenses of the space program, I shall explain why.

I believe that man's knowledge of our environment, particularly in terms of oceanography and the air sciences, should be increased. I believe this can be done at a cost which will not affect adversely the education program, the poverty program, or the effort to clean up our streams and rebuild our cities. It is true, however, that this is an appropriation for $19 million, and it is not the end.

Nevertheless, this cannot be compared with the space program, which unfortunately has developed some of the aspects of a comic strip program. Nor can it be compared to the supersonic aircraft program, which to me is merely an effort to stay ahead of the Joneses. I support the basic research required to find out about man's environment, to expand our knowledge of the earth sciences, to learn more about the crust of our earth, and to pursue knowledge, as Tennyson said, like a sinking star, beyond the utmost bounds of human thought. I think that, in this case, the game is worth the candle. I shall oppose the amendment.

Mr. LAUSCHE. Mr. President, Dr. Haworth, in testifying said:

The project has created great interest in international scientific circles, so much so that a significant element of national prestige is involved.

That argument of national prestige has been raised on practically every controversial issue that has come before us on this bill. I am conscious of the need for maintaining national prestige. That transcends the esteem which people around the world will have for us because of our scientific accomplishments.

But we have problems confronting us: The challenge of inflation, which is spoken about by the President and the Treasury Department practically every day, and the problem of taking care of those among our society who are in need. The query comes to me whether we are not acting vainly when in everything we do we are motivated by the goal of national prestige.

Secondly, who is to have the benefits of these 15 patents that have already been granted? Are the benefits to come to the citizenry of the United States? Are they to go to those who drill into the earth to find materials that can be commercialized and sold?

It looks to me as though the oil companies will benefit by the patents that will come out of this program of drilling 15,000 feet down into the earth, beginning at the floor; and, of course, another 15,000 or 20,000 feet above. The Senator from Illinois has put the question whether the drilling was not to be at the lowest point of the ocean. That would be 32,000 feet. I believe that there is testimony in the record that that is what was contemplated. That obviously has been changed on the basis of what the Senator from Washington has stated.

I contemplate joining the Senator from Illinois, the Senator from Pennsylvania, and the Senator from Colorado in voting against this measure, because I do not believe it is sound.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Colorado will state it.

Mr. ALLOTT. Do I understand correctly that all the time against the amendment has now been consumed and that I have 3 minutes remaining?

The PRESIDING OFFICER. All time on the amendment has been utilized.

Mr. ALLOTT. I disagree with that, because I have not yielded any time on the amendment, but I will take time from the bill. It is of no consequence.

If every Senator who feels that he must discuss this amendment has now spoken, I should like to have the opportunity for 3 or 4 minutes, out of the time on the bill, to conclude my presentation.

I repeat, I have no personal interest in this project. My only desire and my only interest is to lay before the Senate a project conceived in such loose and vague terms that it stands as an outrage against those who started it and those who have conducted it.

So far, we have appropriated $55.4 million, which is easily sufficient to cover the termination costs and the expenditures to date, all of which come to $36.6 million.

If we do not stop the project today, the $55 million would be spent this year, plus what we would appropriate. But if the Senate votes to stop the project, it is my intention that any procurement of hardware would cease forthwith, but that the National Science Foundation would use its judgment in continuing studies now underway. I would expect them to finish those which might be finished in a short time, at no substantial additional cost, and to publish all results to date.

With the distinguished Senator from Hawaii now in the Chamber, let me say that the argument was used that we could have saved the *Thresher*. Yet here is a vessel which can travel at the most only 8 knots. It will be located in the Pacific. It cannot get through the Panama Canal. If anyone can describe to me how such a vessel could save a submarine, even in the remote areas of the Pacific Ocean, without taking 2 or 3 weeks, first to pull up, and then to reposition this particular vessel after taking off all the drilling equipment hanging down to the ocean floor, I would be happy to hear how it could be done.

The same principle, of course, applies to a bomb or missile recovery. If we are

going to have this vessel in the position of trying to make a penetration of the Mohole, we cannot be moving it all around the world to recover submarines, or bombs or missiles, because it just will not move that fast in the first place. It would also destroy the whole experiment, if we did.

The National Science Foundation differentiates Mohole from the national ocean sediment coring program slightly, but I say that the significant information we have will be available to us through this source. There is not much additional that we can get through Project Mohole. If the time comes when we can afford to go there, that is fine, but let us build the intermediate vessel first. Let us get the experience from this, and we can design the vessel and design our experiments accordingly. But it would be insane, I think, if we went ahead with this experiment, in view of the gross mismanagement and the gross growth of expenditures.

One other figure as a sample. On June 30, 1964, in a Senate Appropriations Committee hearing, we were told that the vessel itself would cost $13.6 million.

On September 28, 1965, 15 months later, that cost had jumped to $29,967,000, which is almost $30 million, and more than double the earlier estimated cost.

I am not talking about experiments. I am not counting the miscues which may go on while conducting experiments, but only the "barebones" platform. This figure more than doubled in a 15-month period.

Now, Mr. President, it is up to the Senate. I am ready to vote.

Mr. MAGNUSON. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Washington is recognized for 3 minutes.

Mr. MAGNUSON. The figures of the Senator from Colorado are absolutely correct, but I think it should be realized that most of the figures which were originally given to us on the platform were estimates. They were not cold, hard figures, which we knew. I think in gaging the estimates they may have been wrong, but I do not think there is any guarantee on that kind of thing.

Mr. ALLOTT. The contract to Brown & Root was let in February of 1962. The Senator from Washington certainly would not contend that the figure given to us on June 30, 1964, was not given to us as a hard figure? It was given to us as a hard figure for the vessel of $13.6 million. It jumped to $30 million within 15 months.

Mr. MAGNUSON. Because they asked them to put more on the platform. They changed it.

Mr. ALLOTT. This is on the vessel itself—nothing more.

Mr. MAGNUSON. I understand that they asked that more be put on it. But, anyway, the Senator's figures are certainly correct.

I hope there is no misunderstanding. No one sought to convey the impression that this particular vessel was going out to rescue submarines or recover missiles or bombs. What I meant to say was that the testimony disclosed that the experiment in building the vessel would be a prototype of a similar type of vessel which could be or might be used for that purpose. That was one of the benefits anticipated, but not with this particular vessel.

The only other thing I should like to add was brought up—and I do not know why it was not mentioned in my original remarks. The Senator from Ohio mentioned it briefly. He drew attention to the contract with the contractor, which was placed in the record in full on page 1657 of the hearings, part 2, relative to article 20, and I will read section (a) which I should have mentioned in my original statement:

ARTICLE 20. RIGHTS IN INVENTION

(a) Whenever any invention is made or conceived by the Contractor or any of its employees or by any person directly associated with the Contractor in technical or professional work in the course of, in connection with, or under the terms of this contract, the Contractor shall furnish the Foundation with complete information thereon. The proper distribution of rights in any such invention shall be determined by the Foundation in the light of the public interest and after due consideration of the equities of the parties and an opportunity for a full hearing or review in each instance. Factors which will be taken into account, among others, in determining the equities include the prior contribution of the inventor, and the need, if any, to bring the inventions to the point of practical application.

Thus, it is entirely up to the Foundation.

Mr. LAUSCHE. That does not negate my proposal.

Mr. MAGNUSON. No, but I just wanted to put this in the RECORD so that there would be no question about the patent rights.

Mr. ALLOTT. Mr. President, I yield back the remainder of my time.

Mr. MAGNUSON. Mr. President, I yield back my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. RUSSELL of Georgia (when his name was called). On this vote I have a pair with the distinguished Senator from Louisiana [Mr. ELLENDER]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my wote.

The rollcall was concluded.

Mr. MANSFIELD (after having voted in the negative). Mr. President, on this vote I have a pair with the distinguished Senator from South Carolina [Mr. THURMOND]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Tennessee [Mr. BASS], the Senator from Indiana [Mr. BAYH], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oregon [Mrs. NEUBERGER] and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from Arizona [Mr. HAYDEN], the Senator from Alabama [Mr. HILL], the Senator from Minnesota [Mr. MCCARTHY], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. TYDINGS] would vote "nay."

On this vote, the Senator from Florida [Mr. SMATHERS] is paired with the Senator from Indiana [Mr. BAYH]. If present and voting, the Senator from Florida would vote "yea," and the Senator from Indiana would vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent because of illness.

The Senator from Iowa [Mr. MILLER] and the Senator from South Carolina [Mr. THURMOND] are necessarily absent.

If present and voting, the Senator from Utah [Mr. BENNETT] and the Senator from Iowa [Mr. MILLER] would each vote "yea."

The pair of the Senator from South Carolina [Mr. THURMOND] has been previously announced.

The result was announced—yeas 37, nays 46, as follows:

[No. 198 Leg.]

YEAS—37

| | | |
|---|---|---|
| Allott | Fannin | Pearson |
| Boggs | Griffin | Prouty |
| Byrd, Va. | Gruening | Proxmire |
| Cannon | Hartke | Robertson |
| Carlson | Hickenlooper | Russell, S.C. |
| Case | Holland | Saltonstall |
| Cotton | Hruska | Simpson |
| Curtis | Jordan, N.C. | Symington |
| Dirksen | Jordan, Idaho | Talmadge |
| Dominick | Lausche | Williams, Del. |
| Douglas | Morse | Young, N. Dak. |
| Eastland | Morton | |
| Ervin | Mundt | |

NAYS—46

| | | |
|---|---|---|
| Aiken | Javits | Muskie |
| Anderson | Kennedy, N.Y. | Nelson |
| Bible | Kuchel | Pastore |
| Brewster | Long, Mo. | Pell |
| Burdick | Long, La. | Randolph |
| Byrd, W. Va. | Magnuson | Ribicoff |
| Church | McClellan | Scott |
| Clark | McGee | Smith |
| Cooper | McGovern | Sparkman |
| Dodd | McIntyre | Stennis |
| Fong | Metcalf | Tower |
| Fulbright | Mondale | Williams, N.J. |
| Harris | Monroney | Yarborough |
| Hart | Montoya | Young, Ohio |
| Inouye | Moss | |
| Jackson | Murphy | |

NOT VOTING—17

| | | |
|---|---|---|
| Bartlett | Hayden | Neuberger |
| Bass | Hill | Russell, Ga. |
| Bayh | Kennedy, Mass. | Smathers |
| Bennett | Mansfield | Thurmond |
| Ellender | McCarthy | Tydings |
| Gore | Miller | |

So Mr. ALLOTT's amendment was rejected.

Mr. MAGNUSON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MAGNUSON. Mr. President, the Senator from Nebraska, I understand, does not wish to propose an amendment.

Mr. ALLOTT. That is correct.

Mr. MAGNUSON. I wanted to be sure that that was understood.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The bill is open to

further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. MAGNUSON. Mr. President, there is one further matter which will take only a very short time.

During the hearings, we had a long discussion about airports and other matters involving the Civil Aeronautics Board; and during the course of the discussion, many people commented about servicemen sitting around waiting for airplanes. That was before the strike; now everybody sits around waiting. But we promised that we would state publicly the reason why servicemen sometimes have to wait in line to board planes.

The reason is that they travel at half price. For that reason, they must be on standby. We said we would make this fact public on the floor of the Senate. The servicemen who travel at half fare on a standby basis are not on official business. Those on official business are moved as rapidly as possible. They are usually on a furlough or on liberty, going home, which is important to them individually, and they want to take a plane. That is the reason that we sometimes see large numbers of servicemen waiting in airports. There has been considerable comment from people who wonder why they are standing there. They are on standby because all airlines permit servicemen to travel at half price when they are on furlough or liberty.

Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. MAGNUSON. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator from Colorado yield back the remainder of his time?

Mr. ALLOTT. I yield back the remainder of my time.

Mr. MOSS. Mr. President, I urge approval of the bill before us at this time. It contains certain funds for many worthwhile and important programs. Late yesterday, however, it was with considerable reluctance that I voted to reduce by one-half billion dollars the appropriation for the National Aeronautics and Space Administration. My reluctance rests on the personal belief that our space program is extremely important. Like other Americans, I have taken pride in the accomplishments of our scientists, engineers, technicians, and astronauts. I want America to meet the goal set by President Kennedy: to put a man on the moon and to return him safely to earth by 1970. I want America to solve the scientific problems of the space age and to explore our solar system. I am convinced that the knowledge we gain will be useful and beneficial to us in this swiftly changing world.

However, I am aware of the military commitments that we have in southeast Asia and elsewhere. The latest talk now is that by Christmas, the United States will have the Korean war level of manpower in Vietnam, and that we are preparing for an 8-year war.

Mr. President, prices and wages are rising. Inflation pressures are real and are threatening every citizen. Spending must be checked. Many agree that Government spending must be trimmed, but few offer, or even agree on, the areas to be cut.

Currently, many would postpone or cancel spending for our vitally needed water resource development projects. The central Utah project in Utah is a prime example. The needs for additional development of our water resources demand prompt action because of the long "leadtime" between authorization by Congress and turning the taps to release the first water from a newly constructed dam. We face a crisis, in the next few years, of complete drought in our cities and on the farms of the West.

I would prefer to spend our tax money on Federal activities such as the central Utah project, where the money will be repaid to the Treasury, before we appropriate funds for the race to the moon. I would like to finance both endeavors, but if I must choose, I say let us first spend on projects of great need on this planet.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that a copy of the first page of the committee report be printed at this point in the RECORD, which would indicate that the bill which was just acted on is $2,278,663,300 under the appropriation for 1966. Then I will point out the fallacy of this claim.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The Committee on Appropriations, to which was referred the bill (H.R. 14921) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development, for the fiscal year ending June 30, 1967, and for other purposes, reports the same to the Senate with various amendments and presents herewith information relative to the changes made.

| | |
|---|---|
| Amount of bill as passed House | $13,989,499,000 |
| Amount of increase by Senate | 118,081,000 |
| Amount of bill as reported to Senate | 14,107,580,000 |
| Amount of appropriations, 1966 | 16,386,243,300 |
| Amount of budget estimates, 1957 (as amended) | 14,300,670,291 |
| The bill as reported to the Senate: | |
| Under the esimates for 1967 (as amended) | 193,090,291 |
| Under the appropriations for 1966 | 2,278,663,300 |

Mr. WILLIAMS of Delaware. I am not accusing the committee of making a false report, but as a result of action which the Senate took some time ago in authorizing the sale of the assets of this administration we are seeing the first example of the false picture that this can give to the American people. This is the result of this type of deceitful bookkeeping which has become the practice of the Johnson administration.

The agencies that are provided for under this appropriation bill that was acted upon here today actually get a little over $1 billion more than they received under last year's appropriation. I make this statement notwithstanding the fact that the report shows that the amount has been reduced $2.25 billion. That difference is partly explained on pages 47 and 48 of the bill, where one will find that under the title "Federal National Mortgage Association Participation Sales Authorizations" the Farmers Home Administration of the Department of Agriculture gets $600 million; the Office of Education of the Department of Health, Education, and Welfare, $100 million; the Department of Housing and Urban Development, $1,420 million; the Veterans' Administration, $260 million; the Small Business Administration, $850 million.

These are proceeds from the sale of participation certificates by FNMA which total $3,230 million. Then part of the 1967 appropriations was included in an earlier supplemental appropriation.

As a result of this new Texas twist about $3 billion does not appear as a part of the appropriations. The result that Congress is passing this bill and telling the American people that $2¼ billion is being saved when actually $1 billion more is being spent than was spent by the same agencies last year.

I ask that page 47 and the first 10 lines on page 48 of the bill, outlining the distribution of this $3¼ billion be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

FEDERAL NATIONAL MORTGAGE ASSOCIATION

*Participation sales authorizations*

The Federal National Mortgage Association, as trustee, is hereby authorized to issue beneficial interests or participations in such obligations as may be placed in trust with such Association in accordance with section 302(c) of the Federal National Mortgage Association Charter Act, as amended by Public Law 89–429, for the accounts of the following departments and agencies, in not to exceed the following aggregate principal amounts:

The Farmers Home Administration of the Department of Agriculture, $600,000,000;

The Office of Education of the Department of Health, Education, and Welfare, $100,000,000;

The Department of Housing and Urban Development, $1,420,000,000;

The Veterans Administration, $260,000,000;

The Small Business Administration, $850,000: *Provided,* That the foregoing authorizations shall remain available until June 30, 1968.

PAYMENT OF PARTICIPATION SALES INSUFFICIENCIES

To enable any department or agency named in paragraph (2) of section 302(c) of the Federal National Mortgage Association Charter Act, as added by Public Law 89–429, to pay the Federal National Mortgage Association, as trustee, such insufficiencies as may be required by the trustee on account of such outstanding beneficial interests or participations as may be authorized by this Act to be issued pursuant to said section 302(c), such sums as may be necessary, to be available without fiscal year limitation.

Mr. WILLIAMS of Delaware. What we need is a little more truth in government. I hope that this administration

will start telling the American people the truth as to the cost of this Great Society program.

I shall vote against this bill. I will not be a partner to this deceit.

Mr. DIRKSEN. Mr. President, before the call of the roll, I feel that I ought to pay a compliment and extend an accolade to the members of the subcommittee who handled this bill, the Senator from Colorado [Mr. ALLOTT], the Senator from North Dakota [Mr. YOUNG], the Senator from Maine [Mrs. SMITH], the Senator from Nebraska [Mr. HRUSKA], the Senator from New Hampshire [Mr. COTTON], and the Senator from Massachusetts [Mr. SALTONSTALL]. I believe they did a superb job, not only in lucidly explaining the bill, but also in making the case on every item where there was any controversy or contest. I think they deserve the warm congratulations of the Senate and of the people of this country.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. Mr. President, I join with the distinguished minority leader, and echo his words. Passage of H.R. 14921, the independent offices appropriations bill, will be a significant step forward in completing the business of the Senate this session. The bill is a large one with great importance for the Nation in fields ranging from space exploration to benefits for veterans. The Senate would be remiss if it did not give public credit to those who made important contributions to the debate and passage of the measure.

Special credit must go to the distinguished Senator from Washington, who is chairman of the Subcommittee on Independent Offices of the Appropriations Committee. Under his forceful and vigorous leadership the bill has moved to final passage with a minimum of changes or delay.

In addition to the chairman of the subcommittee, Senator MAGNUSON, and the minority members of that subcommittee whom the minority leader has singled out, the Senators from Alabama [Mr. HILL], from Louisiana [Mr. ELLENDER], from Virginia [Mr. ROBERTSON], from Georgia [Mr. RUSSELL], from Florida [Mr. HOLLAND], from Rhode Island [Mr. PASTORE], from Oklahoma [Mr. MONRONEY], and from Mississippi [Mr. STENNIS], are to receive an equally high compliment and accolade for their tireless efforts in the subcommittee and full committee as well as on the floor these past 2 days. Their efforts have meant so much in bringing about this achievement today.

I also wish to express my appreciation to the senior Senator from Colorado [Mr. ALLOTT] who, as ranking minority member of the subcommittee, did much to help fashion a bill acceptable in the main by Members of both parties. His performance in the debate was marked by the competency and courtesy which have become his hallmark.

Credit must also go to those Members who, through their amendments or in general floor discussion, contributed to a sharpening of the issues. I refer particularly to Senators PROXMIRE, WILLIAMS of Delaware, and CLARK.

To all of these Senators, and to others whom I may have missed, I express the appreciation of the Senate leadership.

The PRESIDING OFFICER. All time having been yielded back, and the bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Tennessee [Mr. BASS], the Senator from Indiana [Mr. BAYH], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from Arizona [Mr. HAYDEN], the Senator from Alabama [Mr. HILL], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Carolina [Mr. RUSSELL], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Tennessee [Mr. BASS], the Senator from Indiana [Mr. BAYH], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from Alabama [Mr. HILL], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oregon [Mrs. NEUBERGER], the Senator from South Carolina [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Maryland [Mr. TYDINGS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent because of illness.

The Senator from Iowa [Mr. MILLER] and the Senator from South Carolina [Mr. THURMOND] are necessarily absent.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Iowa [Mr. MILLER], and the Senator from South Carolina [Mr. THURMOND] would each vote "yea."

The result was announced—yeas 82, nays 2, as follows:

[No. 199 Leg.]

YEAS—82

| | | |
|---|---|---|
| Aiken | Eastland | Long, Mo. |
| Allott | Ervin | Long, La. |
| Anderson | Fannin | Magnuson |
| Bible | Fong | Mansfield |
| Boggs | Fulbright | McClellan |
| Brewster | Griffin | McGee |
| Burdick | Gruening | McGovern |
| Byrd, Va. | Harris | McIntyre |
| Byrd, W. Va. | Hart | Metcalf |
| Cannon | Hartke | Mondale |
| Carlson | Hickenlooper | Monroney |
| Case | Holland | Montoya |
| Church | Hruska | Morse |
| Clark | Inouye | Morton |
| Cooper | Jackson | Moss |
| Cotton | Javits | Mundt |
| Curtis | Jordan, N.C. | Murphy |
| Dirksen | Jordan, Idaho | Muskie |
| Dodd | Kennedy, N.Y. | Nelson |
| Dominick | Kuchel | Pastore |
| Douglas | Lausche | Pearson |
| Pell | Saltonstall | Talmadge |
| Prouty | Scott | Tower |
| Proxmire | Simpson | Williams, N.J. |
| Randolph | Smith | Yarborough |
| Ribicoff | Sparkman | Young, N. Dak. |
| Robertson | Stennis | |
| Russell, Ga. | Symington | |

NAYS—2

| | |
|---|---|
| Williams, Del. | Young, Ohio |

NOT VOTING—16

| | | |
|---|---|---|
| Bartlett | Hayden | Russell, S.C. |
| Bass | Hill | Smathers |
| Bayh | Kennedy, Mass. | Thurmond |
| Bennett | McCarthy | Tydings |
| Ellender | Miller | |
| Gore | Neuberger | |

So the bill (H.R. 14921) was passed.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make punctuation and technical corrections in the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, I move that the Senate insist on its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Chair appointed Mr. MAGNUSON, Mr. ELLENDER, Mr. RUSSELL of Georgia, Mr. HOLLAND, Mr. MONRONEY, Mr. ANDERSON, Mr. ALLOTT, Mr. YOUNG of North DAKOTA, and Mr. SALTONSTALL conferees on the part of the Senate.

## EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider certain nominations favorably reported today.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objective, the Senate proceeded to the consideration of executive nominations.

## SUNDRY NOMINATIONS REPORTED FAVORABLY BY THE COMMITTEE ON THE JUDICIARY

The assistant legislative clerk read the nominations as follows:

Ted Cabot, of Florida, to be U.S. district judge for the southern district of Florida;

Walter J. Cummings, Jr., Illinois, to be U.S. circuit judge, seventh circuit;

Alfred W. Moellering, of Indiana, to be U.S. attorney for the northern district of Indiana for the term of 4 years;

John P. Fullam, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania;

Thomas E. Fairchild, of Wisconsin, to be U.S. circuit judge, seventh circuit.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

## LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

## THE FRITZ GARLAND LANHAM FEDERAL OFFICE BUILDING, FORT WORTH, TEX.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1403, H.R. 10284.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10284) to provide that the Federal office building under construction in Fort Worth, Tex., shall be named the "Fritz Garland Lanham Federal Office Building" in memory of the late Fritz Garland Lanham, a Representative from the State of Texas from 1919 to 1947.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

## COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate tomorrow until 12 o'clock noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the Senate completes its business tonight, it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

## LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, can the distinguished majority leader advise us concerning the program for the rest of the day and, if possible, for the rest of the week?

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished minority leader, after the consideration of S. 3688, the so-called FNMA bill, the Senate will consider the Housing Act Amendments of 1966, which has been reported today from Banking and Currency Committee, and for which the reports and transcript of hearings will be ready tomorrow.

We will then consider the mass transit bill and the demonstration cities bill.

It is anticipated that during the morning hour tomorrow, under the managership of the distinguished Senator from Missouri [Mr. SYMINGTON], Calendar No. 1399 (H.R. 14088), the military medicare bill, will be considered.

Mr. TOWER. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I yield.

Mr. TOWER. It is anticipated that the FNMA bill and the housing bill will probably take the bulk of the day tomorrow, in which case is it the intention of the distinguished majority leader to lay down the mass transit bill for consideration on Friday?

Mr. MANSFIELD. That is correct.

Mr. TOWER. And if we cannot complete both the mass transit and the demonstration cities bills, the demonstration cities bill or the mass transit bill will be carried over to Monday, but the bills will follow in that sequence?

Mr. MANSFIELD. That is what will happen. We can be fairly sure that the demonstration cities bill will not come up until Monday.

Mr. TOWER. I thank the majority leader.

## TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent, since there was no period for the transaction of routine morning business today, that it be in order to lay before the Senate messages and communications, receive bills for introduction and refer them, and to print various routine matters in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

## APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair announces the appointment of Senators JOHN O. PASTORE and BOURKE B. HICKENLOOPER to attend the 10th session of the General Conference of the International Atomic Energy Agency, to be held at Vienna, Austria, on September 21, 1966.

## EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AUTHORIZATION OF DISPOSAL OF NICKEL FROM THE NATIONAL STOCKPILE

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of nickel from the national stockpile (with accompanying papers); to the Committee on Armed Services.

REPORT OF SMALL BUSINESS ADMINISTRATION

A letter from the Administrator, Small Business Administration, Washington, D.C., transmitting, pursuant to law, a report on the financial, management, and procurement assistance activities of that Administration, for the year 1965 (with accompanying reports); to the Committee on Banking and Currency.

## MEMORIAL

The VICE PRESIDENT laid before the Senate a resolution adopted by the Board of Commissioners of the City of Las Vegas, Nev., remonstrating against certain provisions of the proposed Housing and Urban Development Act of 1966, which was referred to the Committee on Banking and Currency.

## REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 3029. A bill for the relief of Gustavo Eugenio Gomez (Rept. No. 1441);

S. 3039. A bill for the relief of Daniel Pernas Beceiro (Rept. No. 1442);

S. 3311. A bill for the relief of Dr. Guillermo N. Hernandez, Jr. (Rept. No. 1443); and

S. 3318. A bill for the relief of Yung Mi Kim (Rept. No. 1444).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 1370. A bill for the relief of Panagiota Konstantinos Sikaras (Rept. No. 1446);

S. 1878. A bill for the relief of Elias Lambrinos (Rept. No. 1447);

S. 2486. A bill for the relief of Dr. Earl C. Chamberlayne (Rept. No. 1448);

S. 2809. A bill for the relief of Lim Ai Ran and Lim Soo Ran (Rept. No. 1449);

S. 3042. A bill for the relief of Dr. Oscar Lopez (Rept. No. 1450);

S. 3329. A bill for the relief of Maria Jordan Ferrando (Rept. No. 1445);

S. 3395. A bill for the relief of Antonio Gonzalez-Mora, and his wife, Natalia Sandoval Gonzales-Mora (Rept. No. 1451); and

H.R. 5213. An act for the relief of Winston Lloyd McKay (Rept. No. 1452).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 2166. A bill for the relief of Mrs. Margareta L. Agullana (Rept. No. 1453); and

H.R. 3078. An act for the relief of Lourdes S. (Delotavo) Matzke (Rept. No. 1454).

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

H.J. Res. 810. Joint resolution to authorize the President to proclaim the 8th day of September 1966 as "International Literacy Day" (Rept. No. 1440).

## AMENDMENT AND EXTENSION OF LAWS RELATING TO HOUSING AND URBAN DEVELOPMENT—REPORT OF A COMMITTEE (S. REPT. NO. 1455)

Mr. SPARKMAN, from the Committee on Banking and Currency, reported an original bill (S. 3711) to amend and extend laws relating to housing and urban development, and for other purposes, and submitted a report thereon, which bill was placed on the calendar and the report was ordered to be printed.

## EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Thomas E. Fairchild, of Wisconsin, to be U.S. circuit judge, seventh circuit.

By Mr. SCOTT, from the Committee on the Judiciary:

John P. Fullam, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania.

By Mr. BAYH, from the Committee on the Judiciary:

Alfred W. Moellering, of Indiana, to be U.S. attorney for the northern district of Indiana.

By Mr. DIRKSEN, from the Committee on the Judiciary:

Walter J. Cummings, Jr., of Illinois, to be U.S. circuit judge, seventh circuit.

By Mr. SMATHERS, from the Committee on the Judiciary:

Ted Cabot, of Florida, to be U.S. district judge for the southern district of Florida.

By Mr. MORSE, from the Committee on Labor and Public Welfare:

Paul A. Miller, of West Virginia, to be an Assistant Secretary of Health, Education, and Welfare.

## BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TALMADGE:

S. 3709. A bill to amend title XVIII of the Social Security Act and related provisions of other acts to permit individuals insured for benefits under part A of such title to receive, for a limited period, certain payments with respect to inpatient hospital services and outpatient hospital diagnostic services furnished to them by certain hospitals not participating under the program provided under such part A; to the Committee on Finance.

(See the remarks of Mr. TALMADGE when he introduced the above bill, which appear under a separate heading.)

By Mr. DOMINICK:

S. 3710. A bill for the relief of Chief Petty Officer James G. Dole, U.S. Navy; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 3711. A bill to amend and extend laws relating to housing and urban development, and for other purposes; placed on the calendar.

(See reference to the above bill when reported by Mr. SPARKMAN, which appears under the heading "Reports of Committees".)

By Mr. KENNEDY of Massachusetts:

S. 3712. A bill to amend section 245 of the Immigration and Nationality Act; to the Committee on the Judiciary.

(See the remarks of Mr. KENNEDY of Massachusetts when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY of Massachusetts:

S.J. Res. 187. Joint resolution to authorize a study and investigation of an information service system for States and localities designed to enable such States and localities to more effectively participate in federally assisted programs and to provide Congress and the President with a better measure of State and local needs and performance under these programs; to the Committee on Government Operations.

(See the remarks of Mr. KENNEDY of Massachusetts when he introduced the above joint resolution, which appear under a separate heading.)

## AMENDMENT OF TITLE XVIII OF SOCIAL SECURITY ACT, RELATING TO CERTAIN HOSPITAL INPATIENT AND OUTPATIENT SERVICES

Mr. TALMADGE. Mr. President, the basic purpose of medicare is to pay the hospital bills of older people. But, as matters now stand, many older Americans, through no fault of their own, will not have those hospital bills paid. They will not have those bills paid because of the fact that their local hospital does not participate in the medicare plan. That hospital may very well be the only medical institution in an area of many miles.

These nonparticipating hospitals are staying out of medicare for a variety of reasons. They may not be able to meet the standards of quality of care required, or they may be unwilling or unable to comply with the title VI requirements of the Civil Rights Act.

The key point which has been completely overlooked in all of this hoopla is that the older person—of whatever race—is the one who suffers most in this situation. The hospital has a choice as to whether it wants to participate. The older individual, however, has no choice in the matter. He does not pick his hospital. He goes to the hospital with which his doctor is affiliated. The doctor chooses the time and place of treatment—not the sick old person.

When his doctor happens to be on the medical staff of a hospital which is not participating in medicare, the older person has just two equally unfair choices. In order to get his care paid for, he can abandon the doctor who may have cared for him for 20, 30, or even 40 years and try to find a new physician on the staff of a participating hospital. In this case, a longstanding relationship of trust and understanding must go down the drain so that dollars can change hands in accordance with regulations. The alternative to this sacrifice for the sick old man is for him to just dig down deep and pay for care out of his own pocket.

Those are tragic and terrible choices to force upon sick, helpless, older Americans. Medicare was supposed to relieve the "financial nightmare" of illness—and not to substitute one bad dream for another.

Now, I can understand that the administration wants these hospitals to meet all of its tests and standards. But the primary obligation of medicare is to the older people of this country—all of the older people of this country. The Congress intended that every single older person who needed hospital care would get that care paid for—at least in large part. Of course, I do not think we intended to pay for care in a substandard hospital—substandard in the sense that it did not meet proper medical standards. But, any refusal to pay for necessary care—other than that in medically substandard institutions—reneges on our promise to 19 million aged Americans.

Mr. President, the bill which I now introduce, for appropriate reference, is specifically designed to help fulfill that congressional promise to our fine older people.

My bill would pay directly to the older medicare beneficiary 75 percent of the reasonable charges for his treatment in a hospital which is not participating in the medicare program. In order to assure that the care was provided in a hospital meeting proper medical standards, payments would be made only if the treatment were in a hospital accredited by the Joint Commission on Accreditation of Hospitals or the American Osteopathic Association.

This benefit, effective as of July 1, 1966, would be available until July 1, 1968, so as to provide a reasonable transitional period during which many hospitals might make the adjustments and decisions necessary to permit them to participate in the medicare program. The Congress could reevaluate the situation in 1968, when the benefit would expire.

The reason for selecting 75 percent as the basis for reimbursement was to offer significant assistance to the aged—but in an amount not great enough to offer hospitals a financial incentive to continue to stay out of the medicare program.

Benefits available under this transitional provision would essentially be subject to the standard medicare limitations on days of care authorized, kinds of services for which payment might be made, etc. The overall limitations would apply regardless of whether care was provided in participating or nonparticipating hospitals.

Mr. President, the proposal I offer is not intended to serve as a means of enabling hospitals to evade the Civil Rights Act or any other legislation which may or may not apply to medicare. I want to assure Members of the Senate that my intention in developing this bill was not to introduce clever and artistic legislative loopholes into medicare.

What I want to see to, Mr. President, is that every older American who needs and receives hospital care will have that care paid for in accordance with the U.S. Government's commitment. Let us honor and fulfill our promise. And that promise was made to people—not hospitals.

Mr. President, I ask unanimous consent that the text of this will be printed at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3709) to amend title XVIII of the Social Security Act and related provisions of other acts to permit individuals insured for benefits under part A of such title to receive, for a limited period, certain payments with respect to inpatient hospital services and outpatient hospital diagnostic services furnished to them by certain hospitals not participating under the program provided under such part A, introduced by Mr. TALMADGE, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 3709

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title XVIII of the Social Security Act is amended

by adding at the end thereof the following new part:

"PART C—TEMPORARY PROVISIONS FOR SPECIAL INSURANCE BENEFITS FOR CERTAIN SERVICES PROVIDED BY CERTAIN HOSPITALS NOT PARTICIPATING UNDER PART A

"ENTITLEMENT; BENEFITS

"SEC. 1891. Any individual who, prior to July 1, 1968, receives inpatient hospital services, or outpatient hospital diagonstic services with respect to which—

"(1) he is not entitled to hospital insurance benefits provided under part A, and

"(2) he would have been entitled to hospital insurance benefits provided under part A, if the hospital furnishing such services (whether directly or under arrangements, as defined in section 1861(w), with it) had, at the time such services were furnished, had an agreement in effect under this title,

shall be entitled to receive a money payment, with respect to such services, equal to 75 per centum of the amount of the actual and reasonable charge imposed by such hospital for such services, if the hospital furnishing such services (whether directly or under such arrangements with it) is accredited as a hospital by the Joint Commission on Accreditation of Hospitals or the American Osteopathic Association.

"PAYMENTS

"SEC. 1892. Payments to which individuals are entitled under section 1891 shall be paid upon application therefor to the Secretary (submitted in such form and manner, and containing such information as the Secretary shall by regulations prescribe), and shall be paid by the Secretary from the Federal Hospital Insurance Trust Fund prior to audit or settlement by the General Accounting Office."

SEC. 2. Section 1861(e) of the Social Security Act is amended, in the part thereof which precedes paragraph (1), by inserting "section 1891," after "section 1814(d),".

SEC. 3. Payments made pursuant to part D of title XVIII of the Social Security Act (as added by the first section of this Act) shall, for purposes of section 103(c) of the Social Security Amendments of 1965, be regarded as payments made under part A of such title XVIII.

SEC. 4. The amendments made by the preceding provisions of this Act are repealed effective July 1, 1968.

## ADJUSTMENT OF STATUS FOR CUBAN REFUGEES

Mr. KENNEDY of Massachusetts. Mr. President, earlier today I introduced a bill to amend the Immigration and Nationality Act, and permit the adjustment of status of Cuban refugees in the United States.

My bill eliminates the technical requirement which requires aliens such as Cuban refugees to leave this country and reenter in order to become eligible for permanent residence and eventual citizenship. I do not question this requirement for aliens who come to our country through normal procedure and in casual circumstances, and then elect to have their status adjusted to that of permanent resident. I believe, however, the requirement has little justification in the case of refugees from Cuba. Their entry into this country is anything but normal and casual—they are under duress and fleeing oppression.

I should point out the bill I am introducing today would make retroactive the refugee's application for adjustment of status, to the time of his last entry into the United States. This is just and equitable.

The talents of many Cuban refugees are going to waste because State professional licensing laws keep those without permanent residence status from practicing their skills and professions. This situation, and the expensive and laborious procedure to obtain this status under present law, is keeping refugees in various difficult circumstances, which do not befit our humanitarian traditions.

I am thinking of examples all over our country, where, because of their immigration status, qualified Cubans have been unable to teach Spanish in the local schools.

I am thinking of similar problems involving Cuban doctors, dentists, nurses, lawyers, skilled workers, and others. It is obvious that such refugees could fill an urgent need in our society if given the opportunity for adjustment of status.

Moreover, the parole status of many Cuban refugees has inhibited the rather substantial Federal program of assistance administered by the Department of Health, Education, and Welfare. The purpose of this program is to give effective asylum by providing the refugees with opportunities for self-support. Approximately $42 million in Federal funds were spent in the last fiscal year in the Cuban refugee program. The figure for the current fiscal year will approach $51 million, and officials in the executive branch have indicated a rise in that amount can be anticipated for fiscal year 1968.

These sizable amounts indicate clearly the importance that these funds be directed toward making the refugees self-sufficient, so that we can anticipate a decline in expenditures in future years. The bill I offer today will be extremely helpful in this matter.

I would also hope, Mr. President, that legislative action on adjusting the status of Cuban refugees would encourage the resettlement of some refugees to other countries in this hemisphere, where refugee talent would contribute to economic, political, and social development. Today, however, refugees are hesitant to leave the United States. Under their present immigration status as parolees, they are not assured of reentry if, for valid reasons, they choose to return. My bill will help to remedy this situation.

Mr. President, for some time I have been very much concerned with the problem I have outlined today, and as chairman of the Judiciary Subcommittee on Refugees and Escapees, have conducted a number of hearings in Washington and elsewhere which dramatically document the need for the legislation which I have proposed today. Recently, on July 14, Secretary of State Dean Rusk in response to questions before the subcommittee on refugees said he placed a "high priority" on legislation to adjust the status of Cuban refugees, and he strongly urged the Congress to take action in this important matter. Legislation is also supported by the Departments of Justice, and Health, Education, and Welfare.

The adjustment of status for Cuban refugees has been pending in the Senate since February 1962, when our very able and distinguished colleague and former chairman of the Subcommittee on Refugees, Senator HART, first introduced a bill for this purpose. And I want to pay tribute to the Senator from Michigan for his leadership in this area. The Senate, in fact, provided for the adjustment of status for Cuban refugees in the general immigration bill passed during the last session. Unfortunately, this provision was deleted at the last minute in Congress. I am delighted to note that hearings on this subject are being held in the other body.

As Senators know, the record in the Senate is rather extensive on this matter. In order to consider the bill which I introduced today, and another related bill, of which I am a cosponsor, the distinguished chairman of the Judiciary Committee, and chairman of the Subcommittee on Immigration, has scheduled a public hearing to be held on Tuesday morning August 16. The witnesses will include officials from the Department of State, the Department of Justice, the Department of Health, Education, and Welfare, and a representative from the American Council of Voluntary Agencies.

Legislative action adjusting the status of Cuban refugees in the United States is long overdue, and I hope the Senate will quickly reaffirm its consensus of 1965 on this matter.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3712) to amend section 245 of the Immigration and Nationality Act, introduced by Mr. KENNEDY of Massachusetts, was received, read twice by its title, and referred to the Committee on the Judiciary.

## JOINT RESOLUTION TO AUTHORIZE A COMPUTERIZED INFORMATION SYSTEM TO PROVIDE STATE AND LOCAL GOVERNMENTS WITH INFORMATION ON FEDERAL PROGRAMS

Mr. KENNEDY of Massachusetts. Mr. President, I introduce, for appropriate reference, a joint resolution authorizing the Advisory Commission on Intergovernmental Relations to study and investigate the feasibility and design of an information system which would enable States and localities to participate more effectively in federally assisted programs and to provide Congress and the President with a better measure of State and local needs and performance under these programs.

The relationship between the Federal Government and State and local governments is an increasing paradox: As more and more Federal programs become available, State and local governments become less and less able to sort them out and decide which ones could help them most. The Federal programs are beneficial; the State and local governments want to benefit from them. But the very proliferation of Federal programs is be-

wildering to the local communities for which they are designed. And this bewilderment is working against the creative federalism which President Johnson spoke of 2 years ago in a historic speech at Ann Arbor, Mich.: A federalism based on local initiative, Federal support, and close cooperation between Washington and city hall.

No one in this Chamber knows more about the problems of making creative federalism work than the distinguished junior Senator from Maine. As chairman of the Senate Subcommittee on Intergovernmental Relations, Senator MUSKIE has dedicated his energies to finding ways by which we can strengthen the cooperative basis of our Federal system.

The 3-year study recently completed by his subcommittee makes clear the benefits of creative federalism, and it also makes clear the problems which are raised by confusion and a lack of coordination between levels of government. Senator MUSKIE has introduced a host of extremely constructive legislative proposals to overcome these problems.

The legislation I introduce today supplements his efforts and the efforts of others to build efficiency into government. It is directed at one very important part of the overall problem—the need to build an effective communications system between local, State and Federal levels of government.

We are all aware of the dramatic rise in the demands on State and local governments. This rise reflects increased public needs and responsibilities which have been shouldered by local officials. And there is every indication that these needs will grow because of the innumerable problems associated with urbanization, economic expansion, and population growth.

In the face of growing public needs which could not be met completely through local funding, the Federal Government has increased its programs of assistance. In little more than a decade, total Federal aid to State and local governments has quadrupled, rising from $3.1 billion in 1955 to an estimated $14.6 billion in 1967. As Senator MUSKIE has pointed out, almost twice as much Federal aid has been appropriated during the past five sessions of Congress as the total appropriated by all previous Congresses going back to 1789.

I support these Federal programs. They are designed to help individuals and communities meet their goals for social and economic development. They are intended to build a better and stronger society.

These programs are not predicated on some master plan or grand design of the Federal Government. They depend primarily on the initiative and resource of people at the local level, who get them started and keep them going.

But if our Federal programs of assistance are to be most effective, every State official, every mayor, every city and town administrator, when faced with a community problem, should have complete information on the full range of Federal programs available, so that he can choose the programs that his community needs and shape them so that they will be most effective.

What these local administrators need most is information. Without information to help them make their decisions, many communities miss out completely on programs of Federal assistance for which they are eligible, others are extremely slow in getting programs started, and still others choose to pursue programs poorly suited to meet highest priority needs even though better programs are available.

Government action based upon inadequate information is wasteful and costly. It is costly to the American taxpayer whose money is not widely or effectively spent; it is costly to the communities who are denied benefits or delayed in getting them; and it is costly to the Nation as a whole when haphazard and ill-informed decisions result in a misallocation of resources.

There is no question that we need a more effective communications system between the various levels of government. Yet it will not be easy to achieve one, because the increase in the number and scope of Federal programs is staggering to contemplate.

For instance, the Federal Government has set up almost 300 programs which deal with education, environment, poverty, or community development. They are administered by more than 100 departmental subdivisions at varying organizational levels in 18 different departments and agencies.

More than 40 different Federal programs provide aid for urban development, though there is little evidence of a unified urban development policy.

Four different agencies handle similar grant or loan programs in the area of local waste disposal facilities, and handle them in dissimilar ways.

Five Federal agencies are involved in community planning—the Office of Economic Opportunity, the Economic Development Administration, the Department of Housing and Urban Development, the Department of Agriculture, and the Appalachian Regional Commission.

The Senate Subcommittee on Intergovernmental Relations after 3 years of study observed that there is "substantial competing and overlapping of Federal programs sometimes as a direct result of legislation and sometimes as a result of bureaucratic empire building."

The conditions precedent to obtaining funds, furthermore, vary considerably from program to program, agency to agency, project to project, and also within agencies and programs over time. And these variances are aggravated by the sheer size and complexity of these Federal agencies and their missions.

Our Nation's Governors at their annual conference in Los Angeles last month described this proliferation of programs as "an administrative jungle—lacking in coordination and so complex that State officials are at a loss to keep up with what is going on."

What has happened is that Federal programs of assistance have provided community executives with so many alternatives that they cannot keep track of all of them or distinguish between them. The problem has been aptly described by Patrick Healy, the executive director of the National League of Cities, and John Gunther, the executive director of the U.S. Conference of Mayors:

> The rapid expansion in the number, size and interrelationship of urban oriented federal programs has resulted in growing concern within many city administrations that they may not be aware of all of the opportunities to effectively utilize federal programs.

And at the same time, there has been no concerted effort to develop a communications system to keep up with the expansion of activity.

Thus, local participation in these programs has been essentially haphazard. Local officials, lacking large staffs, are often bewildered by the mass of Federal programs which confront them, uninformed about the Federal funds and projects they might obtain, and ill-equipped to determine which available Federal programs best meet their community needs.

In short, we are faced with a crisis in communication.

This conclusion is confirmed by the 3-year study made by the Senate Subcommittee on Intergovernmental Relations and by a comprehensive survey of Federal programs administration conducted by two private business organizations, Basic Systems, Inc., and University Microfilms, Inc., two subsidiaries of Xerox Corp.

It is the conclusion I arrived at after numerous conferences and conversations with State and local officials in Massachusetts, and with other Congressmen who have observed the same problem in their own States.

And it is demonstrated by the great variety of actions already taken by both public and private organizations to relieve this communication bottleneck.

For example, State and local governments on their own have been deploying representatives to Washington to set up a clearinghouse for information on Federal programs. A system designed to provide interested groups with a single, continuing source of intelligible data on Federal programs has been established here by Basic Systems, Inc., and University Microfilms, Inc. And the National League of Cities and the United States Conference of Mayors have joined together through the Joint Council on Urban Development to provide such a service to cities on a contractural basis.

Federal agencies have begun to compile catalogs and handbooks on aid programs. Last year the catalog of Federal programs for individual and community improvement published by the Office of Economic Opportunity required 414 pages just to give the briefest description of each program. Similar catalogs have been developed by Senator MUSKIE's subcommittee and by the Economic Development Administration, and a "Mayor's Handbook of Federal Assistance Programs" is currently being prepared by the Bureau of the Budget. In addition each agency charged with the administration of a Federal grant-in-aid program has a vast amount of literature available concerning all aspects of its particular programs.

Indeed, there has been such a proliferation of catalogs to cope with the proliferation of Federal programs that the Advisory Commission for Intergovernmental Relations has recently published an index of them—a "catalog of catalogs."

President Johnson's personal interest in solving these communications problems is reflected in the Federal Inquiry Center recently established in Atlanta, Ga., as a pilot project of the General Services Administration to supply information about all the functions and programs of the Federal Government and proposed Federal legislation dealing with the war on poverty and the demonstration cities program would support the establishment of information and technical assistance centers at the State and local levels.

But none of the initiatives I have mentioned attempts to deal with the problem in comprehensive terms.

The problem will not be solved by an increase in indexes of catalogs. We don't need more books, we need handier information. And we need to coordinate what is becoming a massive effort in duplication of activity, each bit helpful, but not sufficient. We need a single source of detailed information, bringing together the piecemeal information projects presently going on, available through a modern information retrieval system, operated on a decentralized basis, to which officials can turn to identify their options and to select the best of available Federal programs.

The joint resolution I propose authorizes the Advisory Commission on Intergovernmental Relations to conduct a thorough investigation into the feasibility of developing a comprehensive information service system that would make use of automatic data processing equipment and other forms of advanced information technology to serve our States and localities.

I have no special experience in the area of automatic data processing, but I have long been impressed by the scientific advances which have been made in computer and information retrieval technology, and their possible application to the development of a national intergovernmental information system.

What I have in mind is a computer-based information system, using satellite centers, which would provide each State and local government with detailed information on which programs were available to it and which would be most appropriate for it. With a profile of each community, a satellite computer could be programed to inform the community of what new programs are available, what programs have filled their quotas, what programs have changed, and what programs have been discontinued. In every case, the information provided would be based on the needs of the State or community in question.

Such a system has been used with great success by the National Aeronautics and Space Administration in their technology utilization program to provide private industry with detailed information on technological advances that may be of benefit to particular industries. The Post Office Department, the Internal Revenue Service, the Department of Defense, the Bureau of the Census, and other major Government agencies are all using data processing equipment to bring greater efficiency to their operations. Given this background, I think it would be a disservice to State and local governments if we failed to investigate the possibilities of using advanced information system technology to provide the information which local executives so desperately need.

In recent months I have spent considerable time exploring the feasibility of such a system. I have spoken with representatives of a number of large industrial firms involved in this field, such as Diebold Associates and International Business Machines, and explored this question with knowledgeable people in the administration and in the universities. My conclusion is that we have every reason to expect that such a system could be constructed. But it is also apparent to me that a comprehensive study of the problem is necessary to determine whether this kind of system should be constructed, and if so, what form that construction should take.

IBM, at my request, did a preliminary examination of the feasibility and appropriate design of such a system. From their conclusions many of the specific questions which must be answered in this study became clear.

To begin with, the appropriate inputs of the systems must be determined. State and local officials must be surveyed and State and local government program planning and decisionmaking studied, in order to ascertain exactly what the informational needs and problems are.

On the basis of such a study, it would then be possible to determine the extent and form of input data required for the system, the most desirable form in which to receive this information and the degree and kind of interpretation of information needed. For example, IBM concluded that at least four kinds of input data would be required:

First. Socioeconomic data involving income distribution, education, law enforcement, health, and welfare, et cetera.

Second. Community resource data involving labor force and employment, industry and trade, transportation, housing and community facilities, financial, et cetera.

Third. Programs reference data concerning the nature and purpose of assistance programs, conditions of eligibility, information contact, authorizing legislation, and the administering agency.

Fourth. Programs status data involving the nature and extent of usage of various aid programs, the status of obligated funds, the names and numbers of communities involved, et cetera.

In addition, as I pointed out earlier, there are a number of information sources already developed or developing. The study I proposed will survey this growing field, determine what action must be taken to merge or otherwise synthesize these other information sources so that duplication of effort is avoided, identify what gaps exist in existing information sources and provide for the collection and indexing of whatever necessary additional information is needed to fill those gaps.

Once the input design is determined and data collected, it should be possible to construct an information system, capable of up-to-date data storage, retrieval, and sorting of relevant information, manned by skilled personnel to interpret and evaluate the information, which will enable State and community officials to most intelligently select those programs of Federal assistance which best serve their interests.

Even though feasible, whether such a system should be constructed is another question. The answer will depend on whether the costs of constructing it are less than the social costs involved in continuing as we do now. Thus the study would consider the designs of alternative information systems varying in complexity, provide cost estimates for each, and compare the costs to the benefits accruing from the introduction of such systems.

The system I visualize would be decentralized in nature. But careful study would be needed to determine how many satellite stations should be established, where they should be located, and whether the overall system would best be operated under the direction of the Department of Housing and Urban Development, the Bureau of the Budget, the Census, the General Services Administration, the Legislative Reference Service, or some other Government agency.

An information system of the type I propose need not be limited solely to offering data on Federal programs. By keeping a record of the projects and programs carried out in the various communities, it should be possible for communities to learn from the system what programs other communities are developing and profit from their experiences.

Moreover, as experience is gained in dealing with communities, it might eventually be possible to assign to the system certain tasks of analysis and evaluation, such as the projection of socioeconomic trends, analyses of cost-benefit ratios and preparation of financial justification of projects.

Furthermore, through data phones and other link-ups, the system might be capable of providing Congress and the administration with a better measure of the needs and performances of the cities, States, and regions operating under these programs.

This could facilitate legislative oversight, as well as making possible speedy and more accurate adjustment of aid programs to meet existing needs.

Constructing such a system would involve certain risks to established political procedures, even though the system is intended solely as an aid to decisionmaking and not a replacement of the decisionmaker. For that reason, I think it important that the study also consider the political problems which may arise, and how we can preserve the existing desirable relationships between city and State officials, Members of Congress, and administration officials.

Finally, the study of systems design must carefully consider the fact that the

system and the information required by the system will not remain static. Specific attention must be given to the incremental development of the system. As programs requirements change and new ones are added, the store of information must be reviewed and kept up-to-date, and provision must be made for standardizing the structure and collection of data.

In short, Mr. President, though, in my judgment, the basic idea is sound, and the need apparent, a thorough study of the entire question is a prerequisite to effective action.

The Advisory Commission on Intergovernmental Relations seems to me the ideal body to conduct such a study.

The Commission was established in 1959 for the specific purpose of studying how our Federal system could be strengthened through greater cooperation, understanding, and coordination at all levels of government. Its statutory mandate specifically provides that the Commission should study and provide a forum for discussing administration and coordination of Federal programs as well as encouraging study of emerging problems requiring intergovernmental cooperation.

Furthermore, since its inception the staff of the Commission has concentrated its activities on the problems of Federal-State-local relations, thereby building a base of expertise which should be of great help in performing the study. And their work has been of a uniformly high quality.

In addition, the composition of the Commission is uniquely suited to perform this kind of study with insight and understanding.

The Commission is unique among organizations involved in intergovernmental operations because it is both a continuing agency and is also broadly representative of all levels of government. It is not a Federal agency in the usual sense: Its members include representatives of the executive and legislative branches of all levels of government.

As Patrick Healy of the National League of Cities put it:

> We believe that the heterogenous nature of the Commission, it consists of both executives and legislators representing all levels of government, is one of the features which allows it to make important contributions to the field of intergovernmental relations.
>
> When this hybrid group of people sit down to consider the research activities of the Commission, the full interplay of opinions and interests creates a new understanding of the problem under discussion. This is governmental interactions at its best, because it maximizes the opportunities the Commission presents for reasonable men to arrive at desirable and practical solutions to the problems of intergovernmental relations in our federal system.

Finally, it was contemplated at the time the Commission was established that special studies of a long-term nature such as this one would be conducted. Several proposals have already been made to have the Commission conduct a comprehensive study of the Nation's intergovernmental tax and revenue structure.

Congress has recognized that if such studies were authorized, separate appropriations would be provided for that purpose; the legislation establishing the Commission, Public Law 86-380, already provides authority for the Commission to employ the technical consultants necessary to accomplish this study, and the study itself would dovetail with many of the other studies and reports that the Commission is currently engaged in.

Mr. President, I am hopeful that as a result of this study it will be possible to place into operation quickly thereafter an advanced information system providing State and local executives with the kind of information they need to make informed decisions leading to maximum satisfaction of community needs through the fullest utilization of Federal programs of assistance. Such a system could make a tremendous contribution to our goal of a better society.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 187) to authorize a study and investigation of an information service system for States and localities designed to enable such States and localities to more effectively participate in federally assisted programs and to provide Congress and the President with a better measure of State and local needs and performance under these programs, introduced by Mr. KENNEDY of Massachusetts, was received, read twice by its title, and referred to the Committee on Government Operations.

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## STRENGTHENING OF AMERICAN EDUCATIONAL RESOURCES FOR INTERNATIONAL STUDIES AND RESEARCH—AMENDMENT

AMENDMENT NO. 736

Mr. JAVITS. Mr. President, I submit an amendment, intended to be proposed by me to the bill (S. 2874) to provide for the strengthening of American educational resources for international studies and research.

This amendment to amend the National Education Act of 1956, would authorize the U.S. Government to accept foreign currencies from qualified students and teachers in the less developed nations with currency conversion problems, in order to help their students study in this country.

Currency expenses would apply only to the less developed friendly countries where the United States does not hold a surplus of local currencies. This would be for the foreign student an adaptation of what we call the Fulbright plan for Fulbright scholars, and the facts and figures point out that we have a great opportunity to help foreign students. Very few of them study here without any help from the U.S. Government.

This is a field in which we compete so ardently with the Soviet Union and Communist China. The plan I propose would be an effective way to encourage this kind of study without costing the United States any material amount of money.

I hope very much that Senators will consider this plan, which I call an "education for peace" plan, and that it may have widespread support in the Senate.

This proposal would supplement the educational exchange program under the Mutual Educational and Cultural Exchange Act of 1961—the Fulbright-Hays Act—which presently brings between 5,000 and 6,000 students into the United States annually on a scholarship basis at a cost of some $18 million a year. Under my amendment, U.S. funds would not be used to finance the education of these foreign students but rather would be employed to enable them to exchange their foreign currency for dollars in order that they might be able to finance their own education or use local scholarship money for study in this country. Thus, my amendment will enable U.S. colleges and universities to increase their export of knowledge.

An exchange limit of $3,000 annually is set for each student, which is generally in line with the estimated average cost of $2,600 for a school year in a nonpublic U.S. college or university. For the first year of the program's operation, $10 million of U.S. currency would be made available; $15 million is authorized the second year. Thus, an estimated 3,300 students could benefit from the program the first year and 5,000 the second year.

Last year, 82,045 students from 159 countries and territories attended more than 1,000 colleges and universities throughout the United States. Of this number, 37 percent were studying on their own resources and only 7.2 percent received their tuition from the U.S. Government; the remainder received aid from their own governments or from private sources, including U.S. colleges and universities themselves. Since many nations still retain various forms of currency exchange control, this is a remarkable record.

But the numbers of such students—many of whom are destined for leadership in their home countries—could be appreciably increased if the United States made a policy commitment to accept foreign students whose homelands have currency conversion difficulties. We do much the same thing in sales of food abroad under our food-for-peace program.

This is, in effect, an education-for-peace program, exporting the knowledge of our colleges and universities rather than the harvests of our fields and farms.

The United States should be encouraged in its own efforts to attract foreign students by the serious problems the Communist nations are having with their programs. Many Africans studying in both the Soviet Union and Communist China have complained of racial discrimination, restrictions on academic freedom, politically oriented rather than professionally oriented courses and heavyhanded attempts at proselytizing. We have a chance to do much better by providing an increased number of foreign students with an opportunity to observe and absorb within the United States the meaning of freedom in

thought and in the practice of daily American life as well as providing a thorough grounding in the skills which are so needed for advancement abroad.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 736) was referred to the Committee on Labor and Public Welfare.

## MORTGAGE CREDIT FOR FEDERAL HOUSING ADMINISTRATION AND VETERANS' ADMINISTRATION ASSISTED RESIDENTIAL CONSTRUCTION—AMENDMENT

AMENDMENT NO. 737

Mr. FONG (for himself, Mr. INOUYE, Mr. GRUENING, and Mr. BARTLETT) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 3688) to stimulate the flow of mortgage credit for Federal Housing Administration and Veterans' Administration assisted residential construction, which was ordered to lie on the table and to be printed.

## ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of July 28, 1966, the names of Mr. CLARK and Mr. WILLIAMS of New Jersey were added as additional cosponsors of the bill (S. 3661) "to amend title II of the Social Security Act to increase the amount of the monthly benefits payable thereunder, to raise the wage base, to provide for cost-of-living increases in such benefits, to increase the amount of the benefits payable to widows, to provide for contributions to the social security trust funds from the general revenues, to otherwise extend and improve the insurance system established by such title, and for other purposes," introduced by Mr. KENNEDY of New York (for himself and other Senators) on July 28, 1966.

## NOTICE OF PUBLIC HEARINGS ON CATV

Mr. McCLELLAN. Mr. President, as chairman of the standing Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary, I wish to announce that the subcommittee will resume the public hearing on S. 1006, the copyright revision bill, as it relates to community antenna television systems.

The hearing will be held on Thursday, August 25, commencing at 10 a.m. in room 1318, New Senate Office Building.

Anyone who wishes to testify or to file a statement for the record should communicate immediately with the office of the subcommittee, room 349–A, Senate Office Building, Washington, D.C., telephone 225–2268.

The subcommittee consists of the Senator from Michigan [Mr. HART], the Senator from North Dakota [Mr. BURDICK], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Hawaii [Mr. FONG], and myself.

## HEARINGS ON THE FEDERAL ROLE IN URBAN AFFAIRS

Mr. RIBICOFF. Mr. President, I wish to announce that the Subcommittee on Executive Reorganization's hearings on the Federal Role in Urban Affairs will commence on August 15 rather than August 16 as originally announced.

The reason for this change in schedule is that a number of Members of Congress have requested an opportunity to testify on the vitally important questions of the crisis in America's cities.

Members of Congress who wish to appear on August 15 in person or to present statements should contact Jerome Sonosky on extension 2829 by Friday, August 12.

Mr. President, the riots that have erupted in cities across the country are the shock waves of a social earthquake that threatens to destroy the fabric of our society.

Day after day, as the fires of frustration smolder, both in the cities that have experienced violence and those that have not, the Nation's leading journalists question the size, scope, and depth of our commitment in the cities.

Are we, they ask, willing to spend enough money? Are we, they ask, willing to state priorities and keep them? Are we, they ask, willing to treat causes rather than symptoms. In short, are we willing to listen to what these riots tell us? Are we willing to recognize that these are social problems, and are we willing to take the hard steps necessary to resolve them?

These are some of the questions the hearings will consider. I ask unanimous consent to insert in the RECORD a number of recent articles bearing on this subject.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

TIME TO PAY THE PIPER

(By Tom Wicker)

WASHINGTON, August 3.—The other day in Raleigh, N.C., the Rev. Dr. Martin Luther King Jr. called for a domestic "Marshall Plan" costing $10 billion in each of the next ten years to eliminate the slum, poverty and educational conditions that he believes are at the root of Negro unrest and rioting.

In Philadelphia yesterday, McGeorge Bundy, the president of the Ford Foundation and formerly the special assistant for National Security Affairs to Presidents Kennedy and Johnson, addressed himself to the same conditions. He said that it was "right and reasonable to suggest that the level of effort—financial and political and personal—which is here required is fully comparable to the effort we now make as a nation in Vietnam."

EFFORT LEVELS

While it would be unfair to pin Mr. Bundy to a specific figure on the basis of this general statement, it is nevertheless true that the financial "level of effort" the United States now is making in Vietnam runs at the rate of $10 billion a year in the current quarter.

While many may dismiss Dr. King as a biased or overwrought or radical or demagogic witness, Mr. Bundy's personal estimate of the "level of effort" required cannot be taken so lightly. And it is obvious that the judgments of these two men of such enormously different backgrounds are not far apart.

When analyzed, moreover, Dr. King's figure seems not so wild a dream. It is almost impossible to tell precisely what amount now is being spent to attack the conditions in which Negro dissidence is born, since Federal funds go into programs for all races. But a reasonably informed estimate can be made.

Negroes make up only about 11 per cent of the population, but their percentage of the poverty-level, unemployed, and slum population is much higher and has to be allowed for. By arbitrarily but reasonably designating about one third of Federal expenditures for public assistance, education and antipoverty programs, and a somewhat higher proportion of public housing funds as directly for the benefit of Negroes, a total of about $3.5 billion a year is reached.

Of this amount, something over a billion dollars probably is being paid to Negroes in various public assistance categories—or relief programs. And neither that figure nor the estimated total includes state and local funds.

What Dr. King is really suggesting, therefore, is an additional Federal expenditure in the area of $6.5 billion a year—less than the cost of the Vietnam war. This is an enormous amount, but it cannot be contended that it is beyond the capacity of the American people or that it would put too heavy a burden on them and their economy.

At present tax rates, the annual growth in Federal revenues is $8- to $9-billion a year. If the Social Security and other trust funds are omitted, the revenue growth in the administrative budget is at least $7.5 billion annually.

As a result, there is some speculation in economic circles that the revenue growth and the economic expansion that produces it might make possible another tax cut next year—despite the suspense in the past year as to whether an anti-inflationary tax increase would be necessary.

In that event, an increase in public expenditures would be a permissible economic alternative to a tax reduction. In any case, current revenue growth alone can make financially possible something like the domestic "Marshall Plan" suggested by Dr. King.

And if more funds were needed that normal revenue growth could produce, it still would be possible to adjust tax rates slightly upward, producing more revenue without turning the economy drastically downward. Thus, $10 billion a year—including amounts already being spent—would not necessarily force damaging cutbacks in other areas.

The question, in fact, is not really financial; nor is it as yet one of how best to spend such vast sums.

LOTS OF PLACES TO SPEND

A great assault on the low level of education in the ghettos alone could absorb much of the total; so could a huge social work program modeled on Project Headstart; measures to raise the level of Negro income—for instance, by a negative income tax or by direct payments—are another possibility. Money can always be spent, and sometimes even to good effect.

But it has to be made available first and, Mr. Bundy suggested, the real question is one of values and priorities. Will the American people and their leaders decide that after the long years of neglect and discrimination the time has come to pay the piper? Do they really want to correct the gravest injustice and the most dangerous imbalance in American life? It seems at least as important as the Vietnamese war, and cheap at any price.

[From the Washington (D.C.) Post, Aug. 7, 1966]

RIOTS PROVE ALL-OUT SLUM FIGHT MUST BE MADE

(By Thomas J. Foley)

An all-out war on city slums can be put off no longer.

A third summer of riots shows that the bargain basement, penny-pinching approach doesn't work.

President Johnson decided he couldn't pay for his Great Society program and the Vietnam war at the same time. So he cut back his commitment to plans that would help solve the increasingly serious domestic crisis.

It was a calculated risk, based on the hope that a slow start and the promise of more later would be enough until the Vietnam war is over.

A considerable body of expert opinion says it isn't enough, and that the riot headlines seem to bear this out.

A lot more is needed—billions more. It involves a significant shift in the division of the Nation's resources. It involves sacrifice for millions of Americans who would have to pay higher taxes, and it involves courage for the President to ask them to make the sacrifice. Economists both in and out of government agree that this richest of all nations can afford it.

It is not a question of means. It is a question of will.

PUBLIC HEARINGS

This will to take action undoubtedly will be strengthened by the scheduled public hearings by a Senate subcommittee into the "crisis in our cities."

In announcing an Aug. 16 beginning for the hearings, chairman ABRAHAM RIBICOFF (D-Conn.) said: "We need a better sense of priorities." "We are spending a great deal, but we have to inquire whether we are spending it in the right way."

The slum riots have brought a reaction in white communities that is based on fear, often accompanied by the purchase of weapons and unfortunately exploited by cynical politicians who should be leading rather than following public opinion.

As the riots flare from city to city, the bitterness becomes more deep-seated, leading to a breakdown of communication between the races. Then political action becomes impossible.

A LOOK IN RETROSPECT

In retrospect, which is the easiest way to look at events, it seems clear Mr. Johnson should have launched his major assault long ago. The summer of 1964 brought riots in New York City, Rochester and Philadelphia. Last year there was Watts, the worst of them all.

And indeed Mr. Johnson gave considerable thought last year to taking the offensive in a big way. With the major elements of his Great Society program already through Congress his plans were to center his 1966 program on the cities and their problems.

This would have meant some new legislation such as the demonstration cities program which calls for upgrading whole new areas. But mostly the new year was to bring the implementation and coordination of the manpower training, antipoverty, health and education programs already on the books.

The Job Corps and Neighborhood Youth Corps are to make impoverished, poorly educated youths employable, or to encourage them to go back to school. The manpower programs would teach them the skills needed for the new automated economy. This can be done immediately.

INTERMEDIATE STEP

The elimination of tenements, or their transformation into livable areas through new rehabilitation techniques is the intermediate step. Rent supplements are part of it. So is the demonstration cities program now making its struggle through Congress.

The long-term programs center on education. New schools and new techniques are to be instituted. The results will take a number of years to show up.

In broad outline, this is what the program was to have been. But after the late-summer decision was made to sharply increase the U.S. commitment in Vietnam, President Johnson made the political decision to risk putting his Great Society program on the back burner.

The fire was not turned off, but it almost was. For the new fiscal year which began this month the President postponed about 2.5 billion dollars in spending Congress had authorized for Great Society programs this year. They were started, but just barely.

NEW TAXES AVOIDED

This decision enabled the President to avoid asking Congress this year. He knew, of course, that the political climate was not favorable for such a move, particularly if the revenue was used for civilian spending. The Republicans were already howling for a cutback in the Great Society because of the increased defense spending.

Robert Nathan, a private Washington economist of strong liberal persuasion, urges that the President seek the restoration of tax rates cut in 1964. This reduction amounted to an estimated 13.5 billion dollars a year in revenues but now would bring about 18 billion dollars because of the growth in the economy.

On the other hand, Government economists fear that such an anti-inflationary move would cool off the economy too much, causing an increase in unemployment. This would do harm to the antipoverty program they say, by making it more difficult for the poor and marginal worker to get a job. These workers depend on a tight labor market for finding jobs.

Most economists agree that as long as the ghetto war is financed by raising taxes—rather than by deficit financing—there would be no perceptible inflationary effect.

Thus the Administrative problem assumes major proportions. If there aren't well-thought-out plans, if there aren't people around to insure they are carried out, if there are no innovators willing to try new methods to solve problems, no program will ever succeed no matter how grand in concept.

This is particularly true in attempting to transform entire sections of major cities. Work training and education programs must be dovetailed.

PRIVATE INDUSTRY AT WORK

Private industries already working in this field to an increasing extent, must be consulted and brought into these programs.

Some cities, such as Detroit and Pittsburgh, already have begun rehabilitation programs on a major scale.

In addition, the people of the ghetto areas themselves must be brought into the programs to make them work. This requires a high degree of imagination and expertise in human relations to make the effort successful.

For all of these reasons, the programs are not likely to balloon in size overnight. Recruitment of personnel will place an automatic brake on excessive and wasteful spending.

But that does not mean that a sizable buildup cannot be started in the next year. The framework for some of the programs, such as manpower training and antipoverty is in place, and the workload can be increased significantly and usefully.

This leaves the political problem—the most formidable of all. Taking money from some taxpayers to give, or at least to devote, to others is never easy.

NO TAX APPEAL IN NORTH

A tax increase for the purpose of fighting Northern big city ghettos does not appeal to the Congressmen from farm states, the South, the mountain states or even from the nonmetropolitan areas of the major states.

And with riots continuing, it may not appeal even to any of the city Congressmen not actually representing the ghettos themselves. Mr. Johnson is obviously well aware of this problem and recently has been addressing himself to it more and more.

Furthermore, the President will not ask for the tax increase before January. At that time, a new Congress will have been elected which all politicians agree will have a reduced Democratic majority and thus will be less pliable to Johnson's will.

There is the problem of the governors, who don't like to see thmselves by-passed by direct lines between Washington and the cities in their states.

And there are the mayors, many of whom are more than glad to take Federal money but who scream when it is suggested that the money be spent according to certain standards.

It is not, however, an insuperable problem. It must be put to the public. It may not be popular, and Mr. Johnson may lose some more of his consensus.

But failure to act—and act now—would be disaster, not only for the Nation as a whole but for the President who has a keen sense of what he wants as his place in history.

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[From the Washington (D.C.) Star, Aug. 8, 1966]

THE NEED: PREVENTING A RACIAL CONFRONTATION

(By Carl T. Rowan)

It has to be a special kind of tragedy embodying a special kind of warning when the greatest cities of the world's greatest, richest, best educated nation are beset by nightmarish rioting, looting, pillaging and racial conflict.

But that is our country's plight today, and it will be our plight tomorrow—judging from what I have seen and heard these last few weeks.

The people doing most of the talking have tried to stack the rules so that anybody "condones looters" who discusses Cleveland, Chicago or Brooklyn or is "an apologist for criminals" if he chooses to talk about what is wrong with these cities rather than what is wrong with Negroes.

Well, I happen to believe that most of the people who run banks and power companies, the television stations and department stores of our cities are decent people. They deserve to be saved from themselves and the faulty judgments of human relations that so often belong to the wealthy and powerful who never in their lives have known a Negro they considered their equal.

So I feel obliged to talk about some of the myths, nurtured by arrogance and ignorance, that are now being tossed around. For they are the poorly fused hand grenades that are sure to explode unexpectedly in some other city soon, setting off a chain reaction of violence, perhaps.

That small percentage of Negroes now resorting to violence is manifesting long pent-up frustration and bitterness. No one ought doubt that. But it is now being released so recklessly, so stupidly, so futilely, precisely because some new "leaders" in the field of civil rights have encouraged recklessness, wittingly or not.

"Black power" is a slogan of recklessness, of desperation. Intelligent Negroes do not know, or do not agree on, what it means. That segment of Negroes now doing the rioting obviously thinks it means that Negroes who are "fed up" with Jim Crow, unemployment, slums and myriad other humiliations can seize first-class citizenship.

It is not simply braggadocio, it is pitiable self-deception, to assume that a 10 percent minority can force a 90 percent majority to grant it total equality.

But the tragedy is compounded when the 90 percent majority falls victim to another myth—that the minority is totally dependent, in the long run, on the good will, even the whims, of the majority; and that the way to stop the rioting is simply to "get tough," to "stop coddling" the Negro, to refuse to pass any civil rights legislation.

The number of Negroes in America is too small to "take" first-class citizenship. But it is large enough to make life miserable for the white 90 percent, to make the future less than a dream for Americans of any color.

The first responsibility of enlightened Americans, then, must be to prevent these ugly episodes from poisoning American life to the point where we have a brutal confrontation between a colored 10 percent and a white 90 percent. There can be no winner in such a conflict.

Some Americans are quick to seize—and spread—the claim that these big city uprisings are part of some great plot with sinister aliens manipulating the strings. Asked recently if Negro extremist groups fomented the riots in Cleveland and Chicago, Atty. Gen. Nicholas de B. Katzenbach said:

"We have information about such groups now and are keeping a close eye on them. Their power and personnel, however, are very much exaggerated. It would be a tremendous—even tragic—mistake to say that these riots were some masterminded plot. It would be a tremendous mistake to say that these groups were the cause of the riots."

Sure—the Communists, the Black Muslims move quickly to take advantage of any riot. But so do the sophisticated bigots who are eager to use the riots as an argument for preserving the discrimination and segregation from which they profit—as in real estate.

I have recently encountered the notion, held by some of my white acquaintances, that Negroes had better get busy restoring order because "this trouble is hurting your cause."

Protecting and revitalizing America's cities is everybody's cause. So is the eradication of illiteracy, the abolition of shameful injustice, the rooting out of degrading poverty, the broadening of the horizons of human freedom.

Anyone who prefers not to think so can go on nurturing old prejudices and paying the tragically costly price. He will discover that legitimate grievances, unmet, often become stronger than National Guards or all the other restraints the haves set upon the have-nots.

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A Modest Proposal

(By Joseph Alsop)

The problem of the cities, in the form that it is now assuming, is the most urgent, the most difficult and the most frightening American domestic problem that has emerged in all the years of this country's history since the Civil War.

As a sort of farewell before a month's vacation, an attempt will therefore be made to sum up the problem, as it now stands, in a series of three reports. The only way to begin is with the terrible words of the general confession:

"We have left undone those things which we ought to have done, and we have done those things which we ought not to have done."

This includes, first of all, the almost complete failure to find out and to face the hard facts of the modern urban problem. The heart of the problem of the cities is the problem of the Negro ghettos, which have been flaming into riot in recent weeks.

As an illustration of the near-total lack of realism in most discussion of ghetto matters, it is only necessary to analyze the common school-slogan, "End de facto segregation."

To begin with, you cannot "End de facto segregation" in an urban school system, when the entire school system is already de facto segregated. Yet some people are still mouthing this slogan here in the District of Columbia, whose public elementary schools are now 91 per cent Negro!

To go on with, short of a Constitutional Amendment, you could not even end de facto segregation by forcibly homogenizing all the schools in an urban school system that was only 30 per cent Negro. The careful research behind the Watts report shows that any school which is forced to accept as much as 25 per cent of disadvantaged children virtually ceases to be a school; and almost all the children of the ghettos are very seriously disadvantaged.

Race has nothing to do with the effect on the school. The school becomes worthless because the teachers are unable to carry the huge extra burden of helping their disadvantaged pupils—whether they are Negro, or Mexican-American, or poor white. And when the neighborhood school goes to hell in a hack, all the middle and lower-middle income families in the neighborhood simply pick up and move to the suburbs, thereby creating another wholly segregated school.

Since an amendment forbidding such movement is unlikely, the important thing is not to "end defacto segregation." The important thing is to provide many more teachers, and much better teachers, for all schools carrying a serious burden of disadvantaged pupils. But there is no money to do that. Nothing for schools, and billions upon billions for freeways and expressways that promote the white emigration to the suburbs! That has been our rule for many years, again recalling the terrible sentence from the general confession.

The result is the present situation. This situation is not generally understood, yet the new SNCC leader, Stokely Carmichael, clearly understood it well enough when he boasted to a recent Washington rally that "We'd have black power" in most of the big American cities "within six years."

Six years is too short an interval, but school figures and population figures unanswerably indicate that most of the really major American cities are likely to have Negro majorities within the next decade, if not sooner. This is partly because of the growth of the ghettos, but the main cause is the flight to the suburbs of virtually all white families with children of school age.

Unless present trends are reversed, in short, most of our great cities are due to become huge Negro reservations—a series of super-Watts! When and if that happens, "black power" will no doubt be installed in City Hall. But when and if that happens, as any practical-minded man can foresee, there will be other consequences, too.

The change in the cities will not only accelerate the white movement to the suburbs, until the city centers truly are reservations in the grimmest sense of that grim word. This change will also, and above all, accelerate another movement that has already begun without anyone paying much attention.

Finance and business, industry and commerce will follow the flight into the suburbs; all the vast national investment in the centers will quite suddenly be almost worthless. And far worse still, these city-sized super-Watts of the future will have hardly more resources of their own to solve their problems than the Watts District of Los Angeles has today.

If we do not change the trend, there will be no hope of integration, no hope of equality for the Negro Americans. There will be an immense increase of the ugly race feeling that the riots have already begun to promote. There could even be one day, a President Verwoerd in the White House. Any effort, any expenditure, any presonal or national sacrifice, will be better than the thing we are threatened with, whites and Negroes together.

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[From the Washington (D.C.) Post, Aug. 3, 1966]

A Modest Proposal II

(By Joseph Alsop)

Why are most of the American great cities likely to be transformed into super-Watts? Why, in other words, do more and more of the cities have heavy Negro majorities in their school systems, predicting virtually segregated Negro cities of the future?

The first answer is the schools. Here in Washington, for instance, we have elementary schools that are over 90 per cent Negro; we have a city-wide population that is two-thirds Negro; and we have a voting population that is still only about one-half Negro. (These differences appear in all major cities, although other cities' figures are down in the scale as yet.)

But although Washington has already become a predominantly Negro city, the District of Columbia retains a white population of about 250,000. There should, therefore, be a great many tens of thousands of white children of school age in the District. And in reality, there are almost none!

To be precise, Washington had 26,000 white children of elementary school age five years ago. It has lost half that number since then. And of the 13,000 white children of school age still in the District of Columbia, far more than a third attend private schools.

Those figures mean only one thing: That nowadays, white families with children almost automatically emigrate to the suburbs. That conclusion can be cross-checked, too, in half a dozen ways.

The Southwest redevelopment, for instance, has caused many white people to return to live in the District of Columbia. But of these returners, almost none are families with children.

Again, there are two or three Catholic parishes in Washington with particularly strong parochial schools. As the Negro people moved into these neighborhoods, virtually all white Protestant families with children moved out, leaving the public schools almost solidly Negro.

But many of the white Catholic families have stayed, although the parochial schools, too, now have very high Negro percentages. This is because the parochial schools, being strongly led, have remained as good as ever, and the Catholic families therefore saw no reason to move.

It would be unrealistic to deny that the cruel fact of race prejudice has played a role in the white emigration to the suburbs. But the truly dominant role has been played, and is still being played, by the schools themselves.

If the admission of large numbers of disadvantaged children causes a school to go to hell in a hack, almost all families who are able to do so rather promptly move to a neighborhood with better schools—which nowadays means a suburban neighborhood. And as the Watts Report shows, the racial origin of the disadvantaged children has little to do with this emigration. The children's effect on the school, because of the extra burden they inevitably impose on the teachers, is the heart of the matter.

The truth of the matter is that the Justices of the Supreme Court left a needed job

only one-half done, when they outlawed segregated schools. Because of this country's shameful history of economic and other injustices to its Negro people, the great majority of Negro children are disadvantaged. Desegregation of the schools should therefore have been accompanied by legislation sharply increasing outlays on the school systems, and particularly on the great urban school systems.

That can still be done. The question is whether it can be done in a way to halt the white movement to the suburbs, and even to bring a lot of white families back into the city centers—thereby making a reasonable population balance in both cities and school systems, and thus preventing the growth of the city-sized super-Watts that now threaten us.

The answer is not just good urban schools, which we do not now have. Merely good schools are no longer good enough to reverse the sinister population trend that may soon make our cities into vast Negro reservations. The answer, I fervently hope and strongly believe, is immensely superior urban schools, fine enough to hold and even to attract all families that want the best schooling for their children.

If New York spent $1700 per child per year, or a bit more than Scarsdale does; if St. Louis did the same—in short if present urban school outlays were just about doubled in every great city—the cities would soon enough have the superior schools that are so desperately needed for social-political reasons as well as educational reasons.

That would leave the problem of safe streets, which has played a lesser, yet discernible, role in the white emigrations to the suburbs. For safe streets, more money must be poured out, not only on better police departments, but also on parks and playgrounds and other recreational facilities and all the other things that make a city a good place to live.

The total bill, as anyone can see, will be astronomically larger than the cities can hope to pay. But what if the Federal Government pays the whole cost of giving superior schools to the great cities, and further lets the cities use their present school budgets to make themselves habitable once again? That question will be examined in the last report in this series.

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[From the Washington (D.C.) Post, Aug. 5, 1966]

A MODEST PROPOSAL III

(By Joseph Alsop)

The right way for all Americans to look at the desperate American urban problem is simply to think of our great cities as very important patients in a very expensive hospital.

In a healthy family, the father and children do not complain about being on short commons for a while, in order to pay for the mother's medical expenses. And if one may be cynical, this tends to be especially true if the father, the bread-winner, the source of the family's income and prosperity, is the person whose recovery from a dire disease is going to cost a small fortune.

In our almost wholly urbanized America, the great cities are the major sources of the general prosperity, and they are indeed direly diseased. They grow less and less fit for human habitation, year by year. They are afflicted with the open ulcers that are the Negro Ghettoes, which should fill every single American, be he Rocky Mountain sheepherder or Wall Street banker, with inextinguishable shame.

Furthermore, because of the population trends already examined in this series, most of the great cities are threatened with early transformation into vast, impoverished Negro reservations—city-sized super-Watts, in fact. Unless something is done, and done soon, to reverse the white emigration to the suburbs, that will be the end of the road, not just in one great American city, but in the majority.

For the reasons set forth in two previous reports, there is only one expedient that offers much hope of reversing the present urban trend. The great cities must be given superior schools—not just good schools, mind you, but immensely superior schools, with a strong attractive power—and along with superior schools, the great cities must be given the resources to achieve safe streets again.

That means an astronomical expenditure. A good guess is that all the great cities' present levels of spending per child in school should be at least doubled. In many cases, further funds should also be provided for root and branch rebuilding of antiquated, jaillike urban schools. And in most cities, sums just about equal to the present school budgets are needed to get safe streets, by more spending on police, parks, recreational facilities and other neighborhood builders.

How, then, is the job to be done? There is no use talking about increasing the cities' tax rates. High urban taxes are another influence behind the white emigration to the suburbs. Only the Federal Government can do the job.

Yet if the Federal Government is to spend many billions per year to cure the disease of the cities, this necessarily means discrimination in favor of the great cities, and against the suburbs, the small towns and the countryside. Nothing could be more politically difficult, yet the job must be done.

Suggesting remedies is not usually the reporter's task, but the aim of this series is none the less to offer a modest proposal for a remedy. We should begin, I think, by recognizing that the great cities are not merely a major source of the national wealth; they are also the sole source of the wealth of the metropolitan areas that extend for hundreds, even thousands of square miles beyond each city's limits.

The cities, therefore, may be regarded as engines which generate the whole flow of Federal revenue from each metropolitan area. And the cities are deeply diseased, endangering the revenue. Why not, then, take the three following steps:

First, let the President appoint a distinguished Federal commission, or even a series of commissions, to trace the true limits of the metropolitan areas of each of the great cities.

Second, let the Federal revenues from each metropolitan area be ascertained, and let the Congress recognize that the revenues from each area are in fact mainly generated in the diseased city center.

Third, let the Congress therefore provide that of these revenues from each metropolitan area, a generous percentage will be returned to each city-center, in order to pay for the superior schools that offer the main hope of cure for the urban disease.

In this manner, the subsidies to the cities that are so desperately needed will at least be placed on a rational basis. If the whole school bill is footed by the Federal Government (while the schools, of course, continue to be managed by the municipal school boards), the cities will then have enough financial elbow room to do all the things needed for safe streets.

There are other advantages in the plan. The newly traced metropolitan areas could later be used as a basis for metropolitan authorities, on the pattern of the TVA, to handle such urban-suburban problems as transportation—problems which are also urgent and grave. The superior schools should not merely cure the urban disease; they should also open the door out of the poverty trap for the children of the urban ghettoes.

But enough has been said, except for one thing. If you once grasp what this urban problem is going to do to the American future, you will automatically agree that any effort, any outlay, any sacrifice is justified to achieve a cure.

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[From the Washington (D.C.) Post, July 31, 1966]

MERE EXISTENCE OF THE GHETTO IS THE BIGGEST PROBLEM

(By Wolf Von Eckardt)

President Johnson has told the rioters not to riot. But there is more he can do.

And the big cities, their ugly ghettos as barbaric as the violence that persists in them, can also do more than call for troops, and, after the damage is done, plastic swimming pools and scapegoats.

We must do more, for it is, unfortunately, safe to predict that we haven't seen the end of explosive ghetto unrest simply because we haven't begun to really get down to the guts of what may well be America's most serious problem, bar none.

The first thing to do is to recognize it clearly for what it is.

The ghetto violence is not essentially a problem of civil rights because where that problem is most acute—in the South—we see not riots but an orderly, nonviolent revolution. That's why Dr. Martin Luther King, the leader of that revolution, appears so helpless in the Chicago ghetto.

Nor is it essentially a problem of poverty because the young rioters suffer not so much from starvation as from frustration. They are deprived of material things, of course. But they are even more deprived of things to do and wrap their hearts around. They are deprived of a sense of identity and a place in the world.

Though closely related to civil rights and poverty, the guts of the problem is the existence of the ghetto itself. And even if we attain the hope of full equality and the dream of abolishing poverty, a dangerous evil would still persist in our society as long as the ghetto persists.

What we need then is a clear, generally understandable and widely agreed upon national strategy to disperse the ghettos in our big cities. And while such a strategy of comprehensive urban planning, set forth, perhaps, in what the British call a White Paper, is being hammered out in the highest councils of our Federal Government, the cities themselves need special task forces with the power to take comprehensive tactical emergency measures that would make life in the ghetto more bearable.

The word "ghetto," as distinct from mere slums aptly describes the situation that a majority of the people in this country may not be fully aware of. The word first appeared in Venice in the Middle Ages to denote the quarter of the city where Jews were forced to live.

Originally Jews freely chose to live together in communities of their own as perhaps, given full freedom of choice, many Negroes will eventually choose. What made the Jewish ghetto reprehensible and dangerous was the decree of Pope Paul IV in 1555, forcing Jews to live behind the ghetto walls. The gates were locked at night and during high Christian holidays.

Life within the ghettos was crowded and you can still recognize the old medieval ghettos in Italian cities because, for that reason, the houses are higher than elsewhere. Those within had to wear special identifying badges or hats and were easy prey to exploitation since Jews, for instance, were not permitted to own their homes or any real estate. The ghettos existed not only in Italy but also in Germany and the Papal territories of France. The last vestiges disappeared only about a hundred years ago.

Our Negro ghettos have no visible walls but their inhabitants are just as confined and subject to exploitation as the medieval

Jews. A teacher at several schools in Washington's ghetto, for example, tells me that she is lucky if she can take her elementary school children outside the pale to a park or museum just one morning a year.

There is no fixed provision or budget for field trips in the school curriculum. The teacher, on her own initiative, must fight to get the time, arrange for the bus, see that the children get the carfare from their parents and often contribute her own money. Even many teachers in the Washington ghetto, she says, have never been across Rock Creek Park to see Georgetown, let alone the Great Falls.

This teacher has organized field trips for parents so they can see where they might take their children. When she took a group of parents to the Rock Creek Park Nature Center, many were reluctant to enter because they were afraid they would have to pay.

It's hard to find a job outside the ghetto when you don't even know what the world is like out there. Our automobile-obsessed city planning has terribly neglected the means of transportation into that world. That's why the Department of Housing and Urban Development has financed buses in Watts, one of the ghettos of Los Angeles where the riots started last summer.

This is the kind of constructive approach that a national strategy of ghetto dispersal is sure to include. In addition to giving new priority to the public transportation, it would clearly outline a bold new national policy for building New Towns, as the British have for 20 years now, for building satellite towns and for creating balanced neighborhoods of New Towns-Intown in the existing city. Most of all, we must devise a strategy to put industry and jobs where the workers are and vice versa.

Much of this is in the proposed Housing and Urban Development Act of 1966 which is now before Congress with its fate still uncertain. But what with the bill's complex Demonstration Cities program, which piles complex new devices on already overly complex existing ones, there is much seemingly expensive and bewildering confusion. Hence the need for a White Paper with simple graphs, charts and brief text to spell out our national goal and the ways to attain it.

What's more the most important, the vital aspect of the ghetto problem is all but neglected. That is our disgraceful technical and political inability to build housing that people of below average income can afford. This is another reason why civil rights are only part of the answer. It won't help much to let nonwhites move into housing that isn't there.

It is also why urban renewal has not helped as much as it should have. On the whole, we have used the program's sweeping powers of condemnation to tear down the housing of the poor and replace it with luxury apartments and corporation palaces. The experts keep throwing statistics about the fate of the displaced people into each other's faces like kids playing in a sand box. But they all acknowledge and deplore the serious shortage of low-income housing that the renewers, along with highway builders and others, keep tearing down.

The Department of Commerce, three years ago, asked Congress for a moderate amount of money to start some research in housing construction. The lobbies with a vested interest in old-fashioned and expensive building killed the proposal.

Last March, the President called for a temporary national commission on building codes, zoning, taxation and development standards. Among other things, it was to make recommendations for getting us good housing for less money in a hurry. Considering our technological capabilities, this should not be an unsurmountable feat.

Now, 16 months later, this commission still has not been appointed by the new Department of Housing and Urban Development. When it is, it will probably be a large and unwieldy body designed to keep everybody quiet and happy. The problem must be taken out of the quagmire of building industry interests and given the status of national interest and priority, like our efforts in outer space. This, too, only the President can do.

The big city mayors, meanwhile, may find it necessary to set up small, effective emergency committees with the power to cut red tape. They would not study, or plan or find fault—but act. They would provide plastic swimming pools and put spray nozzles on the fire hydrants before and not after there is a riot.

They would provide special buses where needed. They would organize field trips and block parties for the ghetto dwellers. They would step up the efforts to kill rats and rush play equipment into empty lots.

In New York's highly crowded upper West Side the city has closed some streets to traffic and turned them into play streets administered by New York's Police Athletic League, or PAL. The American Machine & Foundry Co. has donated equipment to introduce the children to recreations that can become a lifetime habit, such as bowling, bicycling and golf. The play streets thus are not mere therapy but a way out of the ghetto.

There are a myriad of similar things that could and should be done. The city emergency committees, for instance, might start right now to put up heatable tents or quonset huts on vacant ghetto lots. Come winter they could be used for teenage dances, meetings, movies and day nurseries. In fact, it is not too early to start thinking about putting up gaily lighted Christmas trees in our more cheerless slums.

Where would the money come from? We might find that the emergency warrants diverting funds from longer range urban renewal and poverty war projects. We might also remember that it costs even more to pay the National Guard. And we don't seem to stint when it comes to fighting for a better way of life in jungles far more remote than the asphalt jungles of our ghettos.

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[From the New York (N.Y.) Daily News]

SPOTLIGHTS ON CITIES

As almost anyone can see by reading almost any headline these days, too many of America's cities are in trouble. Despite heavy local, state and federal expenditures, most include neighborhoods which are plain, undeniable slums.

Sen. ABRAHAM A. RIBICOFF (D-Conn.) thinks there must be answers to this and other urban paradoxes. Starting Aug. 16, the Senate subcommittee on executive reorganization which he heads will start asking Cabinet members, mayors, sociologists and possible other authorities on slum problems for their views and very best suggestions.

We hope that he finds some answers in short order. Certainly something is wrong when American city dwellers choose to riot for little or no valid reason. And it doesn't make sense when, for lack of decent mid-city housing, people are forced to live in inconvenient suburbs or in midtown shacks which haven't quite fallen down.

The best indication that the Senator may strike pay dirt in his city probings is that he, to date, seems realistic. He shows no signs of coming down with Appropriations Fever. That's the unhappy Washington malady which causes its victims to believe that, if you just throw enough money at a problem, it will go away.

One of Sen. RIBICOFF's stated objectives, in fact, is to find out how come, despite the massive billions of dollars the Federal Government already has handed our cities' self-proclaimed "improvers," so little improvement is seen.

If the Senator and his committee will turn stone-deaf ears to Washington's dreary tribes of do-gooders and the boondogglers, and pay their very closest attention to the mayor's and other genuine, on-the-spot city experts, his group's time may be well spent.

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[From the Hartford (Conn.) Times, Aug. 3, 1966]

CRISIS IN THE CITIES

Senator RIBICOFF's intention to hold hearings on the plight of America's cities deserves the full cooperation of all levels of leadership.

For in the urban centers where so many of us live—or shelter—social, physical and economic disintegration are rapidly undermining the values of property and of a justly ordered society.

The nation cannot go on this way. It cannot abandon its most sensitive geographical points to utter chaos and festering decay.

There is a crisis in urban existence. To surmount it we must find a way to keep our cities populated and liveable at a stage removed from the pervasive squalor and human blight that threaten to engulf them.

As Senator RIBICOFF asserts, we are faced with the urgent necessity to find answers to the problems of urban living for the urban populations of our time.

For many, the cities already are no longer places to live in, but places from which to flee, if one can.

The revitalization job has not been totally neglected, but neither has it been adequately organized or thoroughly supported. There is an apparent will to cope with the human and physical demands but the effective way to tackle the job is still obscure.

We do not operate, but rather gesticulate—deploring the decline of the cities, desparing of finding approaches to the various individual problems—and finally rush off in disordered crusade to treat with everything all at once.

Some priorities must be originated for no city can summon the resources to fling itself into the effort to achieve all goals simultaneously. Should tax reform come before housing reform? Should there be commercial district rehabilitation from which revenues might flow to finance better housing?

What are the procedural answers to the vast burden of the resettlement of our metropolitan centers so that they are fit and serviceable for habitation and for the transaction of business in our day?

Senator RIBICOFF indicates that we should be done with outmoded "tired answers that are 20 years old" and no longer fit the necessities. More emphasis must be given to "thoughtfully relate our efforts to the needs of people" and existing circumstance.

The hearings that are suggested, and the witnesses asked to comment, should present most helpful information to serve as a basis for legislation and planning. We have done great exercise in the city-beautiful and the city-utilitarian fields.

How futile, if nobody can live there in decency and only crime and violence measure the growth of tomorrow's city!

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## NOTICE OF CANCELLATION OF HEARINGS ON FEDERAL SUPPORT OF INTERNATIONAL SOCIAL AND BEHAVIORAL SCIENCE RESEARCH

Mr. HARRIS. Mr. President, as chairman of the Subcommittee on Government Research of the Senate Committee on Government Operations, I announce the cancellation, because of the unavailability of witnesses on that date, of hearings in regard to Federal support

of international social and behavioral science research, previously scheduled for August 15.

## ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. DOUGLAS:

Statement by him regarding the celebration of Old Settler's Day at Hillsboro, Ill.

## ORDER OF AHEPA WEEK

Mr. DIRKSEN. Mr. President, recently the Board of Commissioners for the District of Columbia announced that the week beginning August 14 shall be known as the Order of AHEPA Week in tribute to the International Convention of the Order of AHEPA—American Hellenic Educational Progressive Association—to be held in Washington, D.C., during that week. Over 15,000 people will participate in the deliberations and festivities. As the Senate Republican leader and on behalf of my colleagues in Congress, I extend greetings to the officers, delegates, members, and guests of this fine organization.

Mr. President, the Order of AHEPA is a nonpartisan organization dedicated to fraternal, charitable, civic, and public affairs activities in the United States, Canada, Australia, and Greece. At this convention our distinguished Vice President of the United States will be the principal speaker at the banquet and Members of Congress and other government officials from both political parties will participate in some of the programs. A number of Members of Congress, Governors, and mayors of both political parties are dues-paying members of the Order of AHEPA, of which I am one—being a member of the Peoria, Ill., chapter No. 234.

Mr. President, it would literally be impossible for me to enumerate the many fine charitable projects sponsored by the Order of AHEPA which run into the millions of dollars, the many and various categories of civic and public affairs projects which are of outstanding character and of great value to the community, and the many fraternal and social programs in the past 44 years which have aided the Greek immigrant to become fully assimilated in the American way of life within one generation.

However, I can briefly note that the Order of AHEPA has provided the type of leadership that has given great incentive to the Greek immigrant and his family that has brought forth outstanding businessmen, labor leaders, professional men, educators, churchmen, artists, writers, and leading figures in public life. George Christopher, former mayor of San Francisco, came to America as a Greek immigrant boy and Congressman JOHN BRADEMAS is the son of a Greek immigrant. Christopher is a Republican and BRADEMAS is a Democrat. I say this is an excellent example of the Greek immigrant becoming fully assimilated in the American way of life.

The Order of AHEPA with other national Greek-American organizations in the early twenties helped to build church communities throughout the United States. AHEPA provided millions of dollars in scholarships to aid young men and women to gain a college education; urged its members and fellow Greek-Americans to become active in public affairs and public office; exercised its constitutional right of petition in urging Congress to amend the various immigration acts and special acts to aid immigrants from all foreign nations to come to America, to grant to Eastern—Greek—Orthodox faith a major religious faith status in the United States; and most important, urged the Americans of Hellenic linage to become outstanding American citizens while at the same time preserving the great Hellenic heritage that gave so much to the world and America.

Mr. President, I know that the delegates to the AHEPA convention will give serious consideration to both domestic and international problems that will come within the expertise of the convention's special committees and have these views made known to their representatives in Congress.

Mr. President, for the information of the readers of the CONGRESSIONAL RECORD I ask unanimous consent to insert in the RECORD some of the basic facts concerning the Order of AHEPA.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Founded July 26, 1922 in Atlanta, Georgia.

Local chapters: Order of AHEPA, 459 Chapters. Daughters of Penelope, 345 Chapters. Sons of Pericles, 165 Chapters. Maids of Athena, 156 Chapters. The AHEPA family (Order of Ahepa and its three Auxiliaries) have a total of 1,125 Local Chapters.

Objects, purposes of the AHEPA: The Objects and Purposes of the Order of Ahepa are: (a) To promote and encourage loyalty of its members to the country of which they are citizens (b) To instruct its members in the tenets and fundamental principles of government (c) To instill a due appreciation of the privileges of Citizenship (d) To encourage interest and active participation in the political, civic, social and commercial fields of human endeavor (e) To pledge its members to oppose political corruption and tyranny (f) To promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic Culture (g) To promote good fellowship, and endow its members with a spirit of altruism, common understanding, mutual benevolence and helpfulness to their fellow man (h) To endow its members with the perfection of the moral sense (i) To promote Education and maintain new channels for facilitating the dissemination of culture and learning.

AHEPA's contributions to worthy and charitable causes:

The Order of Ahepa has contributed financially to many worthy causes during its 44 years of existence. These contributions do not take into account the many local activities of our Chapters within the realm of their local communities. Local Chapters of the Ahepa Family have always given generously and vigorously supported local community projects in the fields of education, charity and civic improvement. The national and international projects and contributions include:

1. Relief of Florida hurricane victims.
2. Relief of Mississippi flood victims.
3. Relief of Corinth, Greece earthquake victims.
4. Relief for the War Orphans of Greece.
5. Relief of Dodecanese Islands (Greece) earthquake victims.
6. Funds for the Hellenic Museum in Greece.
7. Local, national and international scholarships for needy and worthy students.
8. Relief for the fatherless children of Refugees, through the Near East Relief.
9. Support of the Greek Orthodox Seminaries (Theological) at Pomfret, Conn., and Brookline, Mass.
10. Erection of the Ahepa Franklin D. Roosevelt Memorial at Hyde Park, New York.
11. Erection of the Ypsilanti Memorial at Ypsilanti, Mich.
12. Erection of the Dilboy Memorial.
13. Relief of Turkish earthquake victims.
14. Funds for the Greek Orthodox Patriarchate at Jerusalem.
15. Funds for the Greek Orthodox Patriarchate at Constantinople.
16. Ecuadorean Relief.
17. Kansas City flood relief.
18. Greek war Relief Program during and after World War II.
19. Construction of Ahepa Hospitals in Athens and Salonika, Greece following World War II.
20. Construction of 7 Ahepa Health Centers in Greece following World War II.
21. Ahepa Agricultural College in Greece.
22. Ionian Islands (Greece) earthquake relief.
23. Ahepa Preventorium in Volos, Greece.
24. Daughters of Penelope Girls' Shelter Home in Athens, Greece.
25. Construction of Ahepa Hall for Boys at St. Basil's Academy, Garrison, New York.
26. Construction of Ahepa School at St. Basil's Academy, Garrison, New York.
27. Sale of 500 Million Dollars in U.S. War Bonds during World War II as an official issuing agency of the U.S. Treasury Department.
28. Contributions to the Truman Library, Independence, Mo.
29. Contributions to the Dr. George Papanicolaou Research Cancer Institute, Miami, Florida.
30. Erection of the Ahepa Truman Statue and Plaza in Athens, Greece.
31. Donation of 40,000 American and Canadian books to schools and libraries in Greece.
32. Ahepa Medals for Scholastic Excellence for studies in the Greece Language to students.
33. Presentations of 7-volume sets of the Greek Classics to schools and libraries in the U.S. and Canada.
34. CARE Tool Kits for students of vocational schools in Greece.
35. Ahepa Refugee Relief Committee, to aid war refugees of World War II.
36. Sports Kits for Greek school children.

Citizenship: Ahepa's requirements stipulate that members must be American or Canadian citizens, or have indicated their intention to become citizens in which case the fraternity assists the new member in attaining citizenship. Ahepa Chapters assist newly-arrived non-citizens in attaining their full American and Canadian citizenship, and also instruct their members with the obligations that go hand-in-hand with citizenship.

Civic participation: The local Chapters of the Ahepa and its Auxiliaries are active in their own civic affairs and projects, all of which conforms to the fraternity's program of urging its members to be model citizens through planned civic activity. These Chapters are active in aiding and contributing to local fund drives.

International relations: In the field of International Relations, the Order of Ahepa has constantly maintained an active interest in affairs aimed at further cementing the

good-will and friendship between the peoples of Canada, the United States, and Greece, as noted in the heading of this Fact Sheet "Ahepa's Contributions to Worthy Causes." The fraternity takes an active part in America's "People-to-People" program which seeks a closer and more harmonious relationship between the peoples of the United States and other countries. Active roles have been taken by the Ahepa and its officials in several matters of international importance concerning the United States and Greece.

## MANSFIELD ON ASIA

Mr. BREWSTER. Mr. President, one of the reasons I am so proud to be a Marylander is the Baltimore Sun, which is one of the leading daily newspapers in the United States.

It was a matter of great interest to me, therefore, to read a Sun editorial this morning entitled "Mansfield on Asia." The editorial praised the proposal of the distinguished majority leader for an all-Asia conference on the Vietnam problem.

As the editorial points out, the opinions of the Senator from Montana are "as valuable as any in this country." I believe that Senator MANSFIELD'S long expertise in Asian affairs is a valuable asset to this body. I am glad that the Baltimore Sun has paid tribute to this expertise.

Mr. President, I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Baltimore (Md.) Sun, Aug. 10, 1966]

MANSFIELD ON ASIA

Peking's scornful rejection of proposals for an all-Asia peace conference, with Hanoi's rejection immediately following, does not mean that the idea must be abandoned. No one knows what form any discussions leading toward peace in Vietnam, when discussions finally come, are going to take. An Asian conference is surely one possible form, and it may be the likeliest. Among those who believe so, and have believed so for some time, is Senator MANSFIELD, whose opinions on Asian affairs are as valuable as any in this country.

For a good while Senator MANSFIELD has been urging a greater Asian initiative in the solution of Asian problems, including first of all the conflict in Vietnam. It is in line with this that he welcomes the conference proposal put forward by Thailand, the Philippines and Malaysia. Last spring he himself suggested that Burma or Japan try to arrange such a gathering. Who arranges it does not matter, if it can be arranged, nor does the place of meeting matter. The site need not be Geneva: perhaps better somewhere else. Mr. MANSFIELD says, "Let it be called in Rangoon or Bangkok, in Manila or Pnom Penh, or, for that matter, even in Peking."

Of course no conference in Peking, or elsewhere, is immediately in prospect. The point is to keep the idea of an Asian solution open, in the air, so that if this turns out to be the way to peace we will be ready for it.

## HOSPITALIZATION OF SENATOR BENNETT

Mr. MOSS. Mr. President, the distinguished senior Senator from Utah [Mr. BENNETT] has been hospitalized at the Bethesda Naval Hospital since July 30, when a bleeding ulcer developed in his stomach.

I am happy to report to the Senate today that my colleague is making a rapid recovery. His physicians were able to stop the bleeding within a few days after admitting the Senator to the hospital. He has been on a typical ulcer diet for several days. I have been told that he now feels quite well.

In cases like this, I understand, physicians like to keep their patients hospitalized until full recovery is evident. On this basis, the Senator will be in the hospital until the end of next week.

The ulcer has been described as quite small. In fact, it barely showed up on X-rays taken at the time he was admitted to the hospital.

I am sure that the Senate joins with me in prayers that the Senator's strength may be renewed so that he may return to his duties in the Senate on schedule.

## RULES COMMITTEE BEGINS HEARINGS ON SCHOOL MILK BILL

Mr. PROXMIRE. Mr. President, I am delighted to be able to report to my Senate colleagues that the House Rules Committee opened hearings this morning on legislation that would, among other things, extend the special milk program for schoolchildren for an additional 4 years. This legislation, H.R. 13361, was reported from the House Agriculture Committee on July 29. It is similar to the Ellender child nutrition legislation passed by the Senate almost 1 month ago. A revised version of the Senate bill, S. 3467, was recently reported by the House Education and Labor Committee.

The Rules Committee has not as yet heard all of those who wish to testify on H.R. 13361. Certain jurisdictional problems are created by the fact that the bill reported by the House Education and Labor Committee is quite similar. However, I am hopeful that the Rules Committee will meet again this week to receive testimony from the two or three remaining House Members who wish to make statements on the bill. I further hope that the Rules Committee will soon schedule the bill for floor action.

Early passage is essential if the school administrators around the country are to be able to act with any certainty on school budgets for the year to come. Without quick action these administrators will be uncertain as to whether the Federal Government is going to continue to commit itself to paying part of the costs of midmorning and midafternoon milk breaks.

## GOVERNOR ROCKEFELLER'S TRIBUTE TO ISRAEL'S PRESIDENT SHAZAR

Mr. JAVITS. Mr. President, it was my honor on August 1 to attend a dinner sponsored by the United Jewish Appeal of Greater New York in honor of President Shazar, of Israel, at the Hotel Plaza, in New York. At this dinner, Gov. Nelson A. Rockefeller, of New York, delivered an eloquent tribute to President Shazar, to which I invite the attention of Senators.

I ask unanimous consent that Governor Rockefeller's address be printed at this point preceded by an introduction of Governor Rockefeller by Max Fisher of Michigan, national chairman of the United Jewish Appeal.

There being no objection, the introduction and the address were ordered to be printed in the RECORD, as follows:

INTRODUCTION OF GOV. NELSON A. ROCKEFELLER AT UJA DINNER HONORING PRESIDENT SHAZAR, AUGUST 1, 1966

Mr. MAX FISHER. The American Jewish community established UJA not only out of a sense of Jewish responsibility but also because it was concerned with the basic right of every man to be safe and free. Because of this humanitarian concern, Americans of every faith give their support to the United Jewish Appeal. Our next speaker is one such American.

Twenty years ago, one million and a half survivors of the Nazi massacres in Europe hovered on the brink of extinction. Right here in New York it was Nelson Rockefeller who took action to demonstrate that those homeless Jews had an urgent claim on the compassion of Americans, whatever their religion. Nelson Rockefeller founded the Nonsectarian Community Committee for the United Jewish Appeal and became its first chairman. He played a significant role in helping UJA in its first $100 million campaign in 1946.

Much has changed since that dark time. Those who were wasting away in the DP camps have found homes and new lives in lands of freedom. But one thing has not changed. Governor Nelson Rockefeller is still eminently concerned with UJA's humanitarian work. He still serves with distinction as honorary chairman of the Nonsectarian Community Committee of the UJA of Greater New York. He is with us this evening to express officially the greetings of the people of this state to our guest of honor.

Ladies and gentlemen, Governor Nelson Rockefeller.

EXCERPTS OF REMARKS BY GOVERNOR ROCKEFELLER, PREPARED FOR DELIVERY AT THE DINNER HONORING PRESIDENT SHAZAR OF ISRAEL, UNITED JEWISH APPEAL OF GREATER NEW YORK, NEW YORK, N.Y., AUGUST 1, 1966

On behalf of the people of the State of New York, I bid you welcome, Mr. President—Shalom, Hanassi. We welcome you as a distinguished scholar and gifted writer; we welcome you as a revered philosopher; and, most of all, we welcome you as the leader of a young, vigorous and vibrant democracy that has captured the American imagination and won the American heart. I am also delighted to welcome Mrs. Shazar to our shores—for she is a remarkable woman, a true Israeli Halutza—a pioneer—and a fine author in her own right.

I'd like to point out, Mr. President, that you and I have a common responsibility. We are each accountable to about two and one-half million Jewish citizens. And our nations are joined by so many bonds of humanity, history and common experience.

In the last century, an impassioned American poet proclaimed the promise of America to the world:

"Give me your tired, your poor, your huddled masses. . . ."

These words of Emma Lazarus are engraved for all time on our Statue of Liberty in the Port of New York. In this century, they could emblazon the ports of Haifa and Jaffa just as well.

Both of our nations—one of the world's oldest democracies and one of the world's youngest—have opened their arms wide to millions. As in the dreams of the Hebrew prophets, we have both been enriched by the gathering of the Exiles.

The more recent migration to Israel—still fresh in our minds—is one of the great, moving dramas of this age. Over a million people—a shattered remnant of the nightmare of Nazism—gathered at a small, barren and all-but-forsaken land. They came from over 70 nations. They took root alongside those who came before them. And just as in this country, the immigrant—by his sweat and by his toil, by his vision and by his creativity—helped to forge a new nation.

By these massive infusions of new blood, both our countries became half-brothers to the whole world—with something of almost every land to be found within us. In fact, long ago we almost became even closer.

One of my scholarly friends recently pointed out to me a fascinating footnote to American history. It seems that our Pilgrim forefathers seriously discussed making Hebrew the official tongue of the New World.

Other ties join us, but I want to mention just one more personal link between President Shazar and myself. Some years ago, Mr. Shazar had an able special assistant, a charming young Israeli woman by the name of Lea Ostrovsky Ben Boaz. On my own staff, I have an able Press Secretary in Leslie Slote. Today, the former Miss Ben Boaz is Mrs. Slote. All of which both Les and I regard as an extremely favorable U.S. balance of trade with Israel.

I would like to tell you of some thoughts I had when I received the kind invitation of the United Jewish Appeal to be here tonight. Two images flashed through my mind. The first was of the Israel we know today: a nation that made the Negev bloom . . . a nation that swiftly created great seats of learning—the Hebrew University, the new Tel Aviv University, the Weizmann Institute and the Technion . . . a nation throbbing with industrial activity and new agriculture . . . a nation of refuge and new hopes for humanity. Then my mind rushed back to a time two brief decades ago when all this was only a dream . . . and the only realities were tens of thousands of displaced Jews herded into the camps of Europe—and off in the distance a strange, untried land. The United Jewish Appeal played a heroic role in joining these people with that land.

I remember going to Eddie Warburg back in those days when he was the UJA chairman. I felt very deeply that the task of resettling this exodus of homeless Jews was a challenge and responsibility not only of the Jewish community but of free men of all faiths. Therefore, I asked him if he would permit me to organize a Non-Sectarian Community Committee for the New York United Jewish Appeal. His response was immediate, and I was proud to have become its first chairman.

To me, the work of the Non-Sectarian Committee dramatized an enormously important principle. It demonstrated our conviction that all civilized men shared the duty of redressing the outrage committed against the Jewish people.

Israel succeeded. The UJA played its part in that success. And I am grateful to have had the chance of playing even a small part over the years. But there is one thing, Mr. President, that I assure you we understand only too well.

Israel was born and Israel prospers in a sea of deep hostility. And as long as fear and danger cloud the lives of your brothers, as long as help is needed, I know that the UJA, under your able chairman, Max Fisher, will keep open its lifeline to Israel.

But I would also like to see fresh, new initiatives emerge from Washington in pursuit of a true and lasting peace for your troubled corner of the world.

America must not let its vital and active commitment to freedom in other parts of the world obscure the dangers to the peace of the Middle East. The United States should and must exercise its full moral force within the United Nations to bring Arab and Jew together in lasting peace.

Mr. President, over 140 years ago a great American said, "I am happy in the restoration of the Jews." In the fullest sense, Thomas Jefferson's words were premature. But today his sentiment is echoed by Americans from coast to coast.

We are happy in the restoration of the Jewish homeland. We are thrilled to have witnessed its birth in our time. We are proud to have assisted its swift growth. And we wish you and your brave, young nation long life . . . prosperity . . . freedom . . . and peace.



## ARCHBISHOP IAKOVOS CONTRIBUTES GENEROUSLY TO THE RESTORATION OF ST. MICHAEL'S CATHEDRAL IN SITKA, DESTROYED BY FIRE LAST JANUARY

Mr. GRUENING. Mr. President, last January the Russian Orthodox Church at Sitka, Alaska—the Cathedral of St. Michael—was destroyed by fire. This historic edifice was the most beautiful and most expressive symbol of the century and a quarter of Russian occupation of Alaska. It was built in the 1840's and lifted its beautiful cross, dome and spire above the Sitka community and against the background of the surrounding mountains. Its loss was a tragedy from every standpoint.

I had been in Sitka early that week and was deeply impresed by the progress which that community had made, and was made heartsick when the following Sunday the radio brought the news of the destruction not only of this cathedral, but of the Lutheran Church nearby and half of the Sitka business district.

I flew back to Sitka from Juneau as soon as I heard of the fire and immediately started a drive for funds to restore it, making the initial contribution with a check for $100. Since that time, a little over $200,000 has been collected, which is somewhat less than half of what is needed. Today, I was greatly heartened by receiving a check for $500 from Archbishop Iakovos, archbishop of the Greek Orthodox Church of North and South America. In transmitting this check, the archbishop wrote me as follows:

DEAR SENATOR GRUENING: I hasten to reply to your recent letter concerning St. Michael's Russian Orthodox Cathedral in Sitka, Alaska, which reached me upon my return from a short vacation following our Viennial Clergy-Laity Congress.

I was indeed appalled to hear of the unfortunate fire which destroyed the Cathedral. It was well known to me as a magnificent church of great historic and cultural value. Enclosed is a check for a modest contribution to the rebuilding fund.

As Chairman of the Standing Conference of Canonical Orthodox Bishops in the Americas, I will bring up the matter of the rebuilding fund at the next meeting of the Conference. Thank you very much for your interest in this matter. Your initiative in starting the collection of funds for the reconstruction was most generous and is very much appreciated.

Cordially yours,

ARCHBISHOP IAKOVOS.

This is a most generous act on the part of the archbishop, and I hope that it will lead others to follow his example. If all the members of the Greek and Russian Orthodox Churches in America would contribute even a token of $1 or so, the needed funds would be forthcoming. Of course, larger contributions will be equally gratefully received. It is to be hoped that these funds can be secured so that the centennial year of the purchase of Alaska from Russia—1967—may be ushered in by the glad tidings that the cathedral will be rebuilt.

## THE NATURAL RESOURCES DEPARTMENT PROPOSAL

Mr. CHURCH. Mr. President, one of the most contentious issues before Congress this session is the bill introduced by Senator FRANK E. MOSS, of Utah, and cosponsored by Senators JOSEPH S. CLARK, of Pennsylvania, and LEE METCALF, of Montana, to establish a Department of Natural Resources. Recently the Wall Street Journal published a column written by Alan L. Otten characterizing the bill as one which "is going nowhere in this Congress," but which must be passed in some form eventually.

The Otten column is a lively contribution to the dialog about the bill, and the argument over coordinating the management of the Nation's land, water, power, and mineral resources through reorganization of the Federal apparatus which governs them.

I ask unanimous consent that the Otten column, entitled "Resourcefulness," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POLITICS AND PEOPLE: RESOURCEFULNESS

(By Alan L. Otten)

WASHINGTON.—The bill is going nowhere in this Congress and may not go much further for years to come. But it is evoking considerable attention and uneasiness among lobbyists and Government officials all the same. They want to make sure its unpromising outlook doesn't improve.

The measure in question, sponsored by Democratic Senators Moss of Utah, CLARK of Pennsylvania and METCALF of Montana, seeks to unite Federal programs scattered among a half-dozen agencies into one new Department of Natural Resources.

The present Department of the Interior would be the nucleus. Several interior agencies would be moved out—the Alaska Railroad to the Department of Commerce, the Bureau of Indian Affairs and the Office of Territories to the Department of Health, Education, and Welfare. The controversy, however, focuses on what would be moved in—the Tennessee Valley Authority, the Federal Power Commission, the Agriculture Department's Forest Service, Agriculture's conservation projects in smaller watersheds, the Army Corps of Engineers involvement in maintaining and improving waterways.

Reasons for creating such a new department seem compelling, if effective Government organization is to have any meaning. No overall pattern exists for developing the

nation's land, water, power, mineral, recreation and wildlife resources. Programs are diffused through several agencies; duplication is common, and conflict frequent.

Agriculture's Forest Service and Interior's Park Service often differ over the importance to be assigned recreation in developing public lands. The several agencies developing water resources apply markedly different standards for figuring likely costs and benefits. Each bureau develops its own set of backers on Capitol Hill and at the local level. Groups seeking Federal projects wander bewildered through the Government maze.

Much of the organizational apparatus is out of date. The Corps of Engineers got into the water resource business decades ago when it was the Government's only effective engineering organization. Interior's Bureau of Land Management was created chiefly to get the Government out of the land business, while the Forest Service was to manage what was left; today the two perform almost identical chores. In Congress, money for Agriculture's Forest Service is provided through the subcommittee handling Interior Department appropriations, not the one handling Agriculture's. Still another appropriations bill—for public works—finances the Defense Department's Corps of Engineers, Interior's Reclamation Bureau, and the TVA, an independent agency.

Utah's Senator Moss, interested in a plan to divert water from Alaska and British-Columbia to the arid areas of both sides of the American Rockies, found himself hopping from agency to agency in order to obtain information and advice. "There ought to be," he reflects, "some one place where these decisions can be made. We've expanded our resources programs greatly in the last two Congresses, but we've failed to modernize the organization of the Federal departments that must administer them. We are piling new tasks of great magnitude on an old executive structure."

A new department, holding out promises of substantial economies and efficiencies, would seem logical for Lyndon Johnson to propose and support. The idea has been recommended, with varying details, by every task force that has studied the subject—from the first Hoover Commission in 1949 to Mr. Johnson's own Great Society task forces in 1963 and 1964.

Ever since the start of his Presidency, when he went around the White House turning out lights, Mr. Johnson has made a fetish of seeming to seek economies in Federal operations. Moreover, one of his constant operating principles has been to center on one individual the responsibility for a broad field of Federal activity—one man to finger for information, action, blame. He's done it for domestic programs—civil rights (Nicholas Katzenbach), city problems (Robert Weaver), transportation (Alan Boyd). He's done it for foreign trouble spots—George Ball for Cyprus, Ellsworth Bunker for the Dominican Republic, Robert Komer for political, economic and social progress in South Vietnam.

Yet the President has shied away from a Department of Natural Resources. The breadth and depth of the opposition intimidates even the legislative magician Mr. Johnson fancies himself—opposition from agency bureaucrats fearing loss of authority, from Senators and Congressmen who relish their present entree to the separate agencies, from outside groups happy with the influence they exercise among the existing autonomies.

Some public reaction to the Senator's bill is indicative. The American Waterways Operators, wanting a steady flow of inland projects, warns its members that "the future of navigation in the United States will be dim indeed if the Corps of Engineers loses its responsibility for civil works to a catch-all department. . . . The time build effective opposition to (the Moss bill) is now."

Other opposition has been more covert. Forest Service officials and forest operators apparently have been doing quiet missionary work among friends in Congress and around the country. Some TVA-state lawmakers have indicated they will not look with favor on any erosion of TVA's independence. Other likely foes have deliberately remained quiet, hoping the bill would wither away if it received little notice.

Yet Senator Moss and his co-sponsors are far from discouraged. They claim a surprising amount of favorable mail, and this fall, perhaps after Congress adjourns or even after the elections, they hope to hold hearings to publicize the issues.

A little headway toward consolidation already has been made; last month, a Presidential reorganization moved HEW's water-pollution controls to Interior, as the original Moss-Clark-Metcalf bill proposed. Mr. Johnson may be planning other similar transfers, nibbling further at the problem without risking a frontal assault.

Despite these signs of progress, most Administration officials and informed outsiders believe any full-blown Department of Natural Resources is far down the road. "Not in Lyndon Johnson's Presidency," concedes one White House man who's been studying the project, "but definitely in my lifetime." He's only in his mid-30s, however.

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## ADDRESS DELIVERED TO GOVERNMENT INTERNS BY PEACE CORPS DIRECTOR JACK HOOD VAUGHN

Mr. SCOTT. Mr. President, I recently participated in a special, interfaith service for student government interns and the Youth Opportunity Corps at the Washington Cathedral. As part of the service, the Director of the Peace Corps, Jack Hood Vaughn, delivered a most inspiring address to these fine young people. I ask unanimous consent that Mr. Vaughn's address be made a part of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SUMMARY OF REMARKS DELIVERED BY JACK VAUGHN, DIRECTOR OF THE PEACE CORPS, WASHINGTON, D.C.

My dear friends: I am troubled by the pulpit. In my own mind, I have always imagined the pulpit bears painful resemblance to the prisoner's dock in those British court room scenes. One is compelled by circumstance to speak the truth from both of them.

Moreover, I was amused to learn this week that the support and railing for a harpooner at the bowsprit on a whaling ship is also called a pulpit—which leaves much to the imagination about religion in Ye Merrie Olde New England.

As most of you are interns in the administration's program of summer service, I am certain you have often been welcomed to the heart of Washington, which is Government.

On behalf of all of us, I want to take this occasion now to welcome you to the soul of Washington, which is the spirit of service which reposes here.

I should think you would find your experience in the bureaucracy a source of great humility and forgiveness for those who service the paperwork of mammoth organizations—and I trust you will bear this in mind while waiting in next semester's registration lines.

After your experiences here, you may well be able to return to your respective campuses this fall and say with James Garfield—a sometimes preacher who became President: "Fellow Citizens! God reigns, and the Government at Washington still lives!"

It is good to have you in Washington. We are encouraged—indeed, elated—by people who share in the summer intern programs. In fact, we need you. You have become our annual burst of enthusiasm.

A young man trained for the ministry—Bill Moyers—reminded us recently that the Greeks had a word for people who failed to participate in the affairs of their day. The word was "idiot."

Accordingly, I propose that the opposite of idiocy is involvement. Being part of our times—sharing in its adventures—learning our way about the decision-making process: such is the vitality and sense of involvement we require in our leadership, whether young or seasoned. I can remember when we seemed satisfied with seminars and encampments to talk about problems.

Now, it seems we encamp in the midst of action. Our "get-with-it" summers cannot fail to find new standards of performance—for we have never learned to be satisfied with last year's rules.

I think this is vital to our future. Americans seem to be spending considerable energy lately, testing and assuring that our young people will fit specialized requirements of our own making and plans of our own design. We seem very devoted to the idea of performance.

I have no quarrel with that. Proven performance spells a welcome sense of security for the nation's future. But I would feel doubly confident in a generation trained to perform remarkably well in the field of ideas—a generation adept at calling its own shots and finding its own challenges.

Alongside a sense of achievement, we ought to encourage a keen sense of dynamics.

Along with mastery of the elements, ought to come mastery of personal identity.

A generation that builds mighty systems had better build even mightier individuals.

A generation out to design tomorrow had better remember to instill in its children a love of change.

We are building the Great Society—a place, as our President has said, "where the meaning of man's life matches the marvels of man's labors." For such an adventure we ought to build Great Citizens—a generation bred to derive the highest personal fulfillment from the most impersonal of structures; a people whose individual values originate in a robust love of life; a hardy people, built to withstand bigness all about them.

Vice President HUMPHREY expressed such feelings very clearly recently when he said, "It is the special blessing of this land, that each generation of Americans has called its own cadence, and written its own music—and our greatest songs are still unsung."

I think we have moved a long way down the road of history from Descartes' "I think—therefore I am," to the greater conviction of the individual, declaring, "I am—therefore I can become."

That's what I appreciate most about the programs embodied in the Great Society: We are speaking there about new opportunities for people to enrich their lives.

We are speaking about options for the individual.

What an ideal meeting place in history: An unprecedented opportunity for meaningful action, in a generation in search of action.

As you have been among us these weeks, sharing our labors and our heat wave, I have observed promising willingness in you to sharpen your abilities as well as your wits. And we thank you heartily for compelling us to do the same.

In such an interchange of values, you may have encountered some of the thought processes which motivate our own thinking at the Peace Corps: I have said that the soul of Washington is the spirit of service. We like to believe that the Peace Corps is the first-rate expression of the will to action in your generation.

But it is more: for it is cast in the environment of service of primary importance: Service to our fellow human beings—as President Kennedy said, "not because the Communists may be doing it, not because we seek their votes, but because it is right."

Our cause is service to the House of Life itself. It is the cause of Peace.

Yet, as we are veterans of the battle, we ought to have a few ideas about the subject of Peace. And as you are fast becoming fellow veterans in service, I would like to share some of those ideas with you.

In the first place, we don't think very highly of that blissful word—Peace. It is not that we despair of its attainment—for we serve that cause, and you will find that Peace Corps volunteers are not impractical wanderers after will-o'-the-wisps.

The trouble is that Peace ought not have any limitations in time and space—and I believe that much of what has been palmed off as Peace in this century has been severely limited. At best, it has been "phony Peace." It has been an interval—and a politically determined interval, at that. It has "served a purpose"—but the purpose has been less than holy and the interval less than kind.

"Peace"—in your time has been a time of growing despair; a pause between the Wars, to refurbish arms, and skirmish and parlay at the conference table. Peace has been a prize of war, drummed after and paraded. There has been a kind of deliberate elusiveness attached to Peace, as if it might be wise to leave off from Peace, in order to cherish Peace all the more when the conflict is over—somewhat like the semi-adult nonsense game of fighting, because it is such fun to "make up" afterwards.

There is just a little too much irony in "safeguarding" such Peace. To safeguard Peace is to admit its peril. A restaurant which caters to ladies and gentlemen hardly ever requires the services of a bouncer. An establishment carrying such an employee on the regular payroll hardly can claim surprise when the patrons are unruly.

For the same reasons, I have often thought we ought not lean too heavily on the notion of vigilance as the price of liberty. I have no quarrel with that, as far as it goes. The trouble is, it is the obvious, made to sound solemn. Vigilance looks outward, to guard the temple. It cannot nourish our faith in freedom. Indeed, we have seen in your lifetime that our individual liberty at times seemed less important to some than the vigil itself.

The strongest bulwark of liberty is man, free and in search of himself.

We assert this, moreover, not only at home, but for our fellowmen everywhere. Human freedom and the rights of the individual are the singular foundation of United States policy in its relationship with other lands.

We are troubled, however, because the problem of "vigil" keeps coming back to haunt us. Our fears are real enough: our concern abroad, as at home, is with the course of human freedom. Our nation began the modern assault on tyranny and it has never sat well with Americans, to watch people anywhere suffer unspeakable outrage in the name of some grand destiny.

So, we add our precious strength to the vigil, bitter in the knowledge that combat is not the true struggle. It is merely the way to hold back the night, while the process of freedom takes root. In such terms, I think it is somewhat inconsistent, that we all can agonize in shame when people do nothing to help a neighbor viciously assaulted right before their eyes—yet let that neighbor be a nation of free people struck down with no less cruelty or violence and suddenly we hear that it is none of our affair.

As always, the vigil steals the headlines, but the real war in our age is silent. It is the quiet contest of which John Kennedy spoke when he said:

"Now the trumpet summons us again—not as a call to bear arms, though arms we need—not as a call to battle, though embattled we are—but a call to bear the burden of a long twilight struggle, year in and year out, 'rejoicing in hope, patient in tribulation'—a struggle against the common enemies of man: tyranny, poverty, disease and war itself."

The struggle at hand is destined for no remote battlefield. It will be next to you, with you, and part of your life for years to come. Any man or woman who is involved with the world about them, shares that struggle. To partake of it is to lend meaning to our own lives, and impart reason to our existence.

The struggle is the cause of Peace itself: Not to keep the Peace, But to make the Peace worthwhile; not merely to halt war, but to enrich human existence.

Peace ought not be anything more to cheer about than the air we breathe. That we may be blessed with Peace is to grant us ever fresh beginnings—for Peace ought not be an end in itself.

Peace ought to be the realm of action. Peace ought to encourage genuine freedom of action: freedom to be restless without fear; freedom to be adventurous, to take risks, to grow, to stir, to match wits with nature and with our fellowman; freedom, if you will, to become civilized.

It is the special beauty of the benediction, "May the Lord lift up his countenance unto you and grant you Peace,"—that those words usually are spoken at the end of a ceremony, and I find in them a sense of new beginnings each time I hear them. It detracts nothing from their solemnity or their kindness, that they are an invitation to be at Peace with ourselves as we get up and get going on the tasks before us.

Your tasks are in new service here. There are approximately 6,000 interns serving in government this summer. Yet were their number gathered, everyone in one place, they would not outnumber the 7,500 young men and women, hardly a year or two older, who are entering Peace Corps service this summer.

For those young men and women, the path of action is as your own. It is involvement in the world about them. But as you are becoming specialists in Government—they are becoming specialists in man himself.

Whatever their achievements, they seek to encourage in the people about them, a keen sense of dynamics.

In aiding mastery of environment, they try to convey to those about them a strong sense of social identity.

Rather than build systems, they try to encourage a sense of leadership in strong individuals.

Above all, they try to convey confidence in the concept of social change.

Thus, Peace Corps service consists in grappling with the hard, gritty problems of man himself. It is less concerned with the systems men create for their own benefit, than with the will and spirit of men to move just far enough to create any system at all.

Therefore, the Peace Corps is the longest short-cut to Peace imaginable.

But considering the alternatives, it is probably the likely road in the long run. Young men and women who are part of that service have joined in the unseen battles and the silent victories of Peace. They are the quiet heroes whose politics is service, whose nationality is mankind.

In their labor we may learn that true Peace is not a state between nations—but a giver of life for all men.

Just a year ago this week, a dedicated man of Peace died in the service of his nation. His body lay in state in this very transept, before this pulpit.

Adlai Stevenson was the very essence of action in pursuit of reason. No man in our time better exemplified the search for the virtues of Peace—not only for Americans, but for people everywhere.

Some words of his commend themselves to us. I leave you with them—not to end, but to renew your thoughts of service. He said:

"It might be a good idea . . . to remind ourselves about the nature of men . . . and Man.

"Men are sometimes cruel, but Man is kind.

"Men are sometimes greedy, but Man is generous.

"Men are mortal, but Man is immortal.

"And I believe along with Faulkner that Man will do more than survive. He will prevail."

Thank you, and Peace be with you.

## SESQUICENTENNIAL OF POPE COUNTY, ILL.

Mr. DOUGLAS. Mr. President, Pope County, located in my home State of Illinois, will observe its sesquicentennial August 18, 19, and 20.

The history of this community is a vital part of the history of Illinois. Located at the southern tip of Illinois, Pope County was formed 3 years before Illinois was admitted to the Union. Since that time its progress and future has been intimately concerned with developments of our State.

It is interesting to note that Pope County contains within its borders one of our great national forests, the Shawnee National Forest, a beautiful area in which increasing numbers of people are finding rest and recreation.

And, Mr. President, I am proud to observe that the same farsighted attitude which characterized the early history of this county still prevails undiminished to this day. I welcome this opportunity to congratulate these fine people and wish them continued success and prosperity.

## HIGH COST OF HEALTH FRAUDS

Mr. WILLIAMS of New Jersey. Mr. President, perhaps in a nation of 190 million persons we should expect a certain amount of outright medical quackery and subtle deceptions used to promote questionable health services or products.

But even though we may expect wrongdoing or confusion, we should not be complacent about the consequences. Those who promise false hope of cure often endanger any chance at all of recovery, and they quite often take dollars from those who need them most.

Fortunately, many organizations are attempting to get the facts about quackery to the public. The American Cancer Society has just issued a definitive report describing unproved treatments offered to the public within recent years. Seven Federal agencies are cooperating in a study of consumer receptiveness to questionable techniques or products. The American Medical Association is preparing for another national conference on quackery. And in Seattle, recently, a very comprehensive State conference was given on health frauds and quackery.

The authoritative Medical Tribune gave an excellent summary of current trends in the fight against quackery in its July 23 edition. This article will be of help to all those who are concerned about the many forms that quackery can take even

during an age of remarkable scientific progress. I ask unanimous consent to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

QUACKS: CANCER "CURE" IS CALLED NO. 1 HEALTH FRAUD

In connection with its recent conference on health frauds and quackery, the Washington State Medical Association noted that the first recorded prescription for growing hair appears to have been a compound of dog toes, horses' hooves, and date refuse. It was prepared for Queen Ses of Egypt some 5,400 years ago, and there is no reason to believe it was any more successful than many present-day substances that allegedly can reverse alopecia.

Despite the lessons of history, the advances of medical science, public education, and Federal and state laws, quackery remains a strongly rooted weed. In fact, Sen. HARRISON A. WILLIAMS, JR., of New Jersey, an investigator of the extent of medical charlatanry in the United States, suggested a year ago that this is its golden age. More recently, a Senate subcommittee on frauds and misrepresentation affecting the elderly, of which Senator WILLIAMS is chairman, concluded that Americans "are now paying the greatest price they have ever paid for worthless nostrums, ineffectual and potentially dangerous devices, treatments given by unqualified practitioners, food fads and unneeded diet supplements, and other alluring products or services that make misleading promises of cure or end to pain."

For some years the most generally used estimate of the cost of quackery has been $1 billion annually. Whether this figure is shrinking under the impact of action by the Government and organized medicine or growing is not known, according to Oliver Field, director of research for the American Medical Association Department of Investigation. Perhaps reports to the Third National Congress of Medical Quackery, scheduled to be held in Chicago in October, will permit a measurement of the trend, he said.

"But we are not emphasizing the question of money cost of quackery so much," Mr. Field added. "We are concentrating instead on the cost of fraud in terms of time lost and wasted and its cost in needless early death."

While the expenditure for self-prescribed vitamins and cures for arthritis and rheumatism may be increasing, the number-one fraud—as judged by the number of complaints coming to A.M.A. headquarters—is the cancer "cure."

Background of that problem was recently the subject of a survey by Dr. Roald N. Grant, director of professional education for the American Cancer Society, and Irene Bartlett, program associate for its Committee on New and Unproven Methods of Cancer Treatment.

More than 500,000 Americans develop cancer every year, and 49,000,000 now alive will have the disease at some time, they noted. In the light of these facts, combined with fears of radical surgery and heavy dosages of radiotherapy, the appearance of unproved remedies that exploit the situation is not surprising, they said. Often contributing to the anxieties of patients and their grasping at the bright promise of remedies, it was pointed out, is the belief that their own physicians have given up hope. In contrast, proponents of worthless procedures present a cheerful and optimistic approach.

From 1960 to 1965, according to the survey, eight books were published that described favorable results obtained with specific unproved methods and three others that described unproved remedies in general. Mass-circulation magazines and periodicals devoted to "health" also popularized untested procedures. One of the latter, distributed late last fall, contained information on 44 unproved techniques it claimed were "very valuable in cases of cancer." It had a section that offered "practical advice for cancer patients, which can be followed very beneficially."

Dr. Grant and Miss Bartlett noted that the claims of most unproved methods are "difficult or impossible" to check because material for conclusive clinical study is often insufficient and proponents of the treatments are frequently uncooperative.

Formal gains in recent years, the survey said, have included new powers assigned the Federal Government in the Kefauver-Harris amendments to the Pure Food, Drug, and Cosmetic Act and the placing of the burden of proof on advocates of cancer remedies. Other advances are represented by legislation in California, Colorado, Kentucky, Maryland, Nevada, North Dakota, and Pennsylvania. But a large gap in the over-all fabric is lack of legislative control in the 43 other states, it was added.

Even where state legislation has been in effect, however, the struggle against cancer quackery remains Sisyphean. Two physicians in California, a state with a control statute since 1959, acknowledged some modest achievements in resisting the spread of cancer fraud. On the other hand, said Drs. James C. Doyle, of Beverly Hills, former president of the California Medical Association, and Eugene G. Miller, San Francisco, director of scientific activities for the organization, "false generalizations, the worship of coincidence, the substitution of emotions for facts, and the desire for the miraculous have in no way decreased in recent years."

Recommendations made in the survey by Dr. Grant and Miss Bartlett included establishment of a Federal information center, wider use of the facilities of national Government agencies, and coordination of efforts by official agencies, voluntary health organizations, and professional and medical societies. In addition, the report proposed extended public and professional education about treatment methods by such groups as the American Cancer Society and public meetings designed to expose worthless health practices.

The A.C.S. places emphasis on action at the local level. "It is in the local community that the cancer victim and his family first come in contact with cancer nostrums," said Dr. Grant and Miss Bartlett in a recent issue of *Ca*, a cancer journal of clinicians. "This can be devastating, for it is at this time that most lives are either lost or saved from cancer."

A recent example of action at the local level was the Seattle conference on health and frauds and quackery and an exhibit at that city's Pacific Science Center that ran for two weeks. Dr. Harry E. Worley of Mount Vernon, conference chairman, told Medical Tribune that 475 physicians, educators, legislators, and others attended the sessions. About 10,000 others from all parts of the state visited the exhibit and its areas devoted to current frauds in health foods and nutrition, cancer cures, and remedies for arthritis.

Summarizing trends indicated at the conference, Dr. Worley observed that quackery directed to the elderly "seems to be increasing." He added: "More and more older people have medical problems, such as arthritis, and there is a greater competition for their dollars."

But a historian of the subject, James Harvey Young, Ph.D., of Emory University, Atlanta, Ga., told MEDICAL TRIBUNE that the restrictions on large-scale fraudulent enterprise resulting from the Kefauver-Harris amendments may have cut "the statistical size of quackery" in comparison with a decade ago. Device quackery appears somewhat reduced, and the cancer situation may be generally better in view of the decision forbidding interstate shipment of Krebiozen, he said.

"Nevertheless, as things now stand," he continued, "fraudulent advertisers are more clever and understand the psychological motivations of their prey better than do those who issue warning. It should be said though that the rediscovery of quackery in the 1950s and the 1962 legislation do, to some extent, put a lower ceiling on the possibilities of such fraud."

Regardless of any gains, Dr. Young said, he does not expect the end of quackery in the foreseeable future. There have been gullible people and shrewd promoters throughout history, he commented, and the mechanism that leads the former to victimization by the latter is complex. A forthcoming study of the subject by the FDA and six other agencies may prove helpful, he said, but its results are at best some years away.

In a recent examination of the multiple reasons people are deceived by medical quackery, Dr. Viola W. Bernard, director of the division of community psychiatry, Columbia University School of Public Health and Administrative Medicine, observed that susceptibility to false lures may be intensified by "the brevity of contact and impersonality that has come to characterize a good deal of modern medical practice." She suggested that "personal relationship between doctor and patient provides a potentially strategic opportunity at time of illness for meeting the related emotional needs of the patient and thereby reducing his turning toward quackery."

The Arthritis Foundation estimated last year that arthritis victims spent about $250,000,000 a year on misrepresented drugs, devices, and treatments. The estimate this year is $310,000,000.

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## INTEREST RATES ON TIME DEPOSITS AND CERTIFICATES OF DEPOSIT

Mr. ROBERTSON. Mr. President, in connection with the hearings held last week on S. 3687, I ask unanimous consent to have a letter written by Joseph W. Barr, Under Secretary of the Treasury, addressed to me printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE UNDER SECRETARY OF THE TREASURY,
*Washington, D.C., August 10, 1966.*

The Honorable A. WILLIS ROBERTSON,
*Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: On Thursday, August 4, 1966, in testimony before your Committee, Senator PROXMIRE asked me the following question: "Yes, Mr. Barr, as I understand it, at one point the House Banking Committee passed a proposal to have a flat limitation of 4½ percent on the interest payments. Was that to apply to negotiable certificates of deposit and what other savings instruments?"

I answered: "Yes, sir; on all time and savings accounts, which would include negotiable certificates of deposit."

I evidently thought that Senator PROXMIRE used the term "considered" rather than "passed" because my answer as printed is not correct. The correct answer is as follows:

"Senator PROXMIRE, the House Banking and Currency Committee has reported H.R. 14026 which provides for a temporary one-year ceiling of 4½ percent on time deposits below $100,000. Negotiable certificates of deposit are normally denominated in amounts of $100,000 or more so H.R. 14026 as reported would not have an appreciable impact on negotiable C.D.'s."

I regret this misunderstanding, and I regret that neither I nor the Treasury staff caught this error before the RECORD was printed.

* * * * *

Sincerely,

JOSEPH W. BARR.

## AGRICULTURE EXPORTS—VITAL FOR FOOD AND FREEDOM

Mr. CARLSON. Mr. President, the American farmer has demonstrated his ability to produce, and one of the problems that is now confronting agriculture is to find markets equal to our productive capacity.

We have been making progress in both domestic and foreign markets, but there is still much to be done.

In 1954 our total agricultural exports were only $2.9 billion—in 1964 they had risen to about $6.1 billion—more than doubled—and in the 1965–66 fiscal year, our exports exceeded $6.5 billion. Four and a half billion dollars of our export agricultural crop was for dollars and our agricultural exports have increased faster than our other exports. Today the United States leads all other countries in agricultural exports.

Mr. President, Representative ROBERT DOLE, of the First Congressional District of Kansas, spoke at the annual convention of the Missouri Farmers Association and the Midcontinent Farmers Association at Columbia, Mo., on August 8. He discussed agriculture exports, which are vital for both food and freedom.

Representative DOLE is a member of the House Committee on Agriculture and is one of the outstanding authorities in Congress on farm legislation.

I ask unanimous consent that the speech he delivered at the Missouri Farmers Association and Midcontinent Farmers Association annual convention on August 8 be made a part of these remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

AGRICULTURE EXPORTS—VITAL FOR BOTH FOOD AND FREEDOM

It is indeed a great pleasure to be here today on the program with my distinguished colleague from the Committee on Agriculture, PAUL JONES, and our Vice President.

It has been a genuine pleasure to serve with PAUL the past six years. We may differ from time to time—not often—and as you know, he is a most effective and constructive member of our Committee.

Today I would like to discuss a very important bill that is pending in the Senate after passing the House. I am, of course, referring to H.R. 14929, the "Food For Freedom" Bill.

Before going into some of the details on this legislation, permit me to spend just a few minutes going over a few basic facts concerning the importance of, and the details concerning, our various agricultural export programs.

IMPORTANCE OF AGRICULTURAL EXPORTS

Every American, farmer and non-farmer, should recognize the vital contribution that agricultural exports make to our balance of payments. Farm exports represent about one-fourth of all our merchandise exports. They have been rising quite rapidly the past decade. If agricultural exports had not risen but had held stable, the deficit in our balance of payments last year would have been twice as big as it was and the threat to our economic stability that much greater.

To the agricultural sector itself, exports are becoming of increasing importance. About 85 percent of our farm production is consumed domestically and the rest goes abroad. But with a high national income and most people in the U.S. eating just about what they want to eat, the domestic market for farm products expands slowly, about in line with the increase in population. The demand for food is rising much more rapidly in the rest of the world. Thus agricultural exports have become the fastest growing point in the outlets available to our producers. Exports of agricultural products by the United States in Fiscal Year 1965–66 are estimated to be the highest in history. The estimate of about $6½ billion, or even more, for this Fiscal Year exceeds export records set in each of the two previous years by at least $½ billion.

How far have we traveled? Few farmers realize today that from 1929 through 1944, a period of 16 years, our exports of wheat, for example, averaged only 65 million bushels annually. In 8 of those years, our exports were less than 50 million bushels, and the all-time low was in 1935 when only 7 million bushels were exported. You perhaps also know that the United States was able to produce 1 billion bushels of wheat or more only once prior to 1944, and that since 1944, we have failed to produce 1 billion bushels in only four years; and in each of these years, production was in excess of 900 million bushels. During World War II and the years immediately after, conditions in the wheat market were not normal, and I believe some comparisons starting in 1952, to the present, will be of interest.

To begin with, the domestic disappearance of wheat, including that used for food, seed, in industry and the amount used for feed both on the farm and in commercial feeds, in 1952 was 660.7 million bushels. Gradually down through the years, this total decreased until it reached 580.8 million bushels in 1963. Then with lower price supports, the amount of wheat fed to livestock jumped to an estimated 100 million bushels in 1965 and total domestic disappearance came to 687 million bushels.

Even at that domestic disappearance of wheat was only 26.3 million bushels more in 1965 than in 1952—and 1965 was by far the best year for domestic use in the 13 years. The big increase experienced in the marketing of wheat has been in exports.

While exports have increased markedly since 1952, dollar sales have remained relatively stable. In 1952, for example, 318 million bushels of wheat were exported. The amount sold for dollars in that year was valued at approximately 288 million dollars. In 1956 exports were about 550 million bushels but dollar sales were valued at only 174 million dollars. In 1960 exports rose to 661 million bushels, but the value of dollar sales remained relatively stable at 204 million dollars. In 1962 exports of wheat rose to 642 million bushels, but the value of dollar sales was down to 153 million dollars. In 1963 dollar sales went up because of the huge sales to Russia, but other than that year, 1963, dollar sales have not been higher than they were in 1952.

It would seem obvious, therefore, that our wheat surplus pile has been cut down not so much by a reduction in production as an increase in use of wheat—and the big increase in use has been in exports and the big increase in exports has been the aid programs, particularly P.L. 480. The export momentum has been building up since "480" was enacted in 1954, and "480" sales have helped to develop dollar sales as countries—Japan is the outstanding example—got on their feet with U.S. aid and then were able to enter the regular market for grain.

Yes, the program has been effective, but costly. No other nation has been as generous with its food supplies and, while we will continue this generosity, members on our Committee, Paul Jones and myself included, are insisting that some countries do more to help themselves and that other free world countries provide more food aid.

With this bit of background, let me again say that exports prospects have improved materially since last fall, due primarily to a step-up in exports of feed grains, wheat, oilseeds, and oilseed products and all of these commodities are important to Missouri and Midwest farmers.

As previously stated, the value of farm products exported by the United States in 1965–66 came to 6½ billion dollars—more than double the value sent abroad in 1953–54—the year before P.L. 480 shipments started.

TYPES OF EXPORT PROGRAMS

Farm products are exported from the United States under 3 general sales methods: (1) Commercial exports or dollar sales without export subsidies; (2) Commercial exports with export subsidies; and (3) Exports under specified government-financed programs.

Commercial exports without export subsidies refer to dollar sales of commodities which are fully competitive in world markets, such as soybeans, corn, and cattle hides.

Commercial exports with export subsidies refer to exports of certain U.S. price-supported commodities which will not move in international trade without some form of compensation. This compensation is provided to the exporter who purchases at the higher domestic price and sells in foreign markets at the lower world price. The government assistance to the exporter is the difference between the higher domestic price and the lower world price, either with cash, payments-in-kind, or sales of government stock below domestic prices. Cotton is an example of a commodity requiring export assistance. Under present price support legislation, this commodity, beginning with the 1966 crop, will be at about world price levels, and export subsidies are expected to be sharply reduced.

Exports under specified government programs, often referred to as "Food-For-Peace" or concessional sales, include (1) sales for foreign currency, (2) donations, (3) barter, and (4) long-term supply and dollar credit sales.

In Fiscal Year 1965 about one-fourth of the agricultural products exported by the United States were shipped under government-financed programs, primarily Public Law 480. Exports under such programs amounted to $1.7 billion.

Wheat and wheat flour shipments accounted for most of the exports under government programs. In the year ending June 30, 1965, wheat and flour made up 60 percent of the government program exports. Of the 1.2 billion dollars worth of wheat and wheat flour exported, 1 billion dollars worth was in some form of aid to the developing countries. Five years ago, the ratio of government-financed exports of wheat and flour was about the same, but the quantity of exports was then almost one-third less.

There is no question that exports of wheat, feed grains, and soybeans will expand in the coming years. Food aid to friendly developing nations will grow. And economic growth abroad is rapidly increasing commercial demand.

WHICH NATIONS RECEIVE U.S. FARM PRODUCTS

Fifteen countries received almost three-fourths of total U.S. exports of farm products in Fiscal Year 1964–65. Japan, as indicated earlier, has become our best customer and in Fiscal Year 1965 purchased 750 million dollars worth of agricultural products from the United States. Japan is now the largest cash buyer of farm products from the United

States. In Fiscal Year 1966, agricultural exports to Japan came to nearly 1 billion dollars, almost one-half billion above the next ranking country—India. India received over 500 million dollars worth of farm products in Fiscal Year 1965, but most of this was exported under government-financed programs. Right now we are sending a million tons of grain to India each month and nearly all of that for practical purposes is a gift. Japan's purchases also exceed by more than a half billion both the Netherlands and Canada—the second and third ranking countries in terms of cash purchases.

In this list of the top 15 countries receiving U.S. agricultural exports are the 6 member countries of the European Economic Community. The EEC countries received almost one-fourth of our total agricultural exports in Fiscal Year 1965, and almost a third of the dollar sales, about the same share as 5 years ago. The value of our farm products exported to the EEC has increased by over $200 million in the past 5 years. Much of the credit for this achievement very properly goes to men dedicated to agriculture, such as your own president, Fred Heinkel, who has worked closely with the Herter Committee in the Kennedy round of GATT Negotiations.

MAJOR EXPORT CROPS

Of the 10 major U.S. agricultural products exported in 1965, four commodities—wheat, soybeans, corn and barley—are of special interest to producers here in Missouri. Two of these products—wheat and soybeans—are right up at the top of the list. Over half of all sales of wheat and soybeans were sold to foreign markets in 1965. Corn and barley are farther down the list, but a sizable share was also sold through export channels. Compared with recent years, a larger proportion of our soybean and corn crops are moving abroad.

LOOKING AHEAD

Further substantial increases are in prospect for agricultural exports in the next several years. Many of the same forces contributing to expansion in recent past years will continue—growing populations and expanding demand will boost exports to developed countries and P.L. 480 recipients. If the trends of recent years continue, by 1970, U.S. exports of wheat and flour may average more than 1 billion bushels yearly—15 percent above the Fiscal Year 1966 estimate. U.S. exports of feed grains may approach 40 million short tons—over two-fifths larger than we expect to export in the Fiscal Year 1966. U.S. exports of soybeans may reach 375 million bushels—nearly half again as much as estimated for the Fiscal Year 1966.

It is clear that Missouri farmers will play an important role in these future export gains.

PENDING LEGISLATION

Now then, let's take a look at the legislation pending in Congress this year. Time, of course, won't permit me to discuss all the details involved, but I would like to touch on the major points of the bill and then devote the balance of my remarks to an amendment which I sponsored known as the "Farmer-to-Farmer" Program or the "Bread and Butter Crops."

The bill, which is now pending in the Senate Agriculture Committee, carries these main provisions:

(1) It extends P. L. 480 for another two years;

(2) It authorizes $3.3 billion per year for concessional sales and donations programs;

(3) It changes the concept of "surplus" which has been embodied in the act since 1954 to a concept of "available";

(4) It places heavy policy emphasis on self-help—particularly agricultural self-help—in underdeveloped countries;

(5) It recognizes the world population problems and offers the ways and means to implement family planning by those individuals and foreign governments voluntarily wishing to cope with population growth;

(6) It retains the friendly nation concept which prohibits U.S. food aid to the governments of communist countries and other nations acting against our interests in South Viet Nam;

(7) It emphasizes market development for U.S. farm commodities overseas;

(8) It accelerates a shift away from soft currency sales and toward dollar sales;

(9) It protects American citizens in foreign nations from expropriation.

(10) Last, but not least, it establishes within the USDA the authority for a farmer-to-farmer program.

Last fall, after returning from the Food and Agricultural Organization's 20th Anniversary Conference in Rome, Italy, where it was my privilege to serve as a Congressional adviser representing the House, I began to explore the feasibility of expanded U.S. technical assistance in the area of agricultural production and distribution. I talked with many people in and out of government on this problem and, when the Committee began its hearings with 10 outstanding public witnesses, their comments stressed the need for increased technical assistance. Meanwhile, I wrote to each state extension director and president of every land-grant college to solicit their comments and suggestions on how to best meet the growing world food problem. As a result of these contacts and the advice from my colleagues, on both sides of the aisle in the Committee on Agriculture, I introduced H.R. 13753, a bill to establish a "Bread and Butter Corps" on March 17, 1966. My proposal was considered at length by the Committee. It was revised, amended, and finally included as sections 406 and 105(1) of H.R. 14929.

DO WE NEED A BETTER COORDINATED AND ACCELERATED TECHNICAL ASSISTANCE PROGRAM?

One need only look at the arithmetic of world population growth to get part of the answer. In 15 years, by 1980, present population trends indicate an increase in world population of one billion people. By the beginning of the 21st century, only 34 years from now, world population is expected to double. In Latin America, Asia, and Africa, the growth rate is much more rapid, and in a number of countries in these areas, their populations will double within 20 years.

In 1850 there were 750 million people in the world; in 1900 there were 1.5 billion; in 1960 there were 3 billion. In 2000, if present trends continue, there will be 7.5 billion.

Continuation of present trends in India will mean a population increase from 432.7 million in 1960 to 1,233.5 billion by the year 2000 (In other words, nearly triple). If India's birth rate is cut in half, her population by the year 2000 is expected to more than double to 908 million.

The hearings also revealed the cold, brutal and realistic fact that the United States and other developed countries will not be able to feed and clothe the unborn millions who are destined to populate the earth in the next few decades. Therefore, the clear mandate exists that we must do everything within our power to assist these people to help themselves meet their own basic needs if world peace and stability is to be maintained.

Another reason the technical assistance "know how" and "show how", self-help effort should be expanded is that when one looks to what currently is being done in this area, it shapes up as being really quite modest. For example, the FAO of the United Nations carries on a technical assistance program throughout the world.

As you may know, there are some 112 nations that belong to FAO, but do you have any idea how many people, how many actual individuals are in the field working in these projects? The fact is there are about 250. In other words, about 2 people per country, or put another way—the 250 people that FAO has in the field could easily get lost getting off the boat in Calcutta, India. When it comes to the AID technical assistance activities, testimony in our Committee indicated that there are in the aggregate about 1,000 such persons. Looking again at the massive scope of the problem and the size in populations of the nations which need this assistance, the present thousand people represent virtually a drop in the bucket in this effort. The Peace Corps, which carries a heavy emphasis on young people who are idealistically motivated, does not possess the agricultural expertise and knowledge that is of practical and substantive assistance in getting the results that are required if a world food and population crisis is to be averted.

Finally when expressed in just dollars and cents, the allocation of a small portion (1 percent under the bill) of our financial resources to self-help and local agricultural improvement programs will, in my opinion, prove to be a very good investment in the long run. It certainly will be less expensive to American taxpayers if India, for example, is able to meet most of here own food needs, rather than relying on the United States indefinitely for outright food gifts or quasi-gifts made under Title 1 local currency and long-term dollar credit sales agreements.

WHAT'S NEW AND WHAT'S OLD ABOUT THIS PROVISION?

During the hearings, almost every witness indicated the need for increasing our technical assistance to developing countries; however, there was nothing in the Administration Bill being considered which would do this. As this proposal has been debated, some have asked, "What is new about it?"

In the first place, "new" has been defined as something "old" that everybody has forgotten about; and in farm legislation it often is quite difficult to find proposals that are absolutely unique and original.

The concept of technical assistance is certainly one which has been around for a long time within the framework of our agricultural and foreign policies. The technical assistance program (Point IV) during President Truman's Administration, the International Voluntary Service Program of the Eisenhower Administration, and the Peace Corps of President Kennedy's Administration have all incorporated this concept to some extent. In addition, various foreign assistance activities administered by AID have been directed toward the expansion of American "know how" and "show how" throughout the world.

What then is new about this program? Actually, I believe, there are two basic innovations which have been implemented in this legislation. The first is better coordination. The second is the structuring of this program through land-grant colleges and other universities.

COORDINATION

The Coordination Effort proposed by Section 406 is directed first at the U.S. Department of Agriculture itself. The technical assistance program would be located in and under the direction of the Department of Agriculture. The Department would have the responsibility of coordination of the activities of the Federal Extension Service which includes the 4–H Club Program, the Federal-State Cooperative Research Service, and the Foreign Agricultural Service, together with other useful and appropriate agencies. Second, the legislation contemplates the coordination of this type of technical assistance within the framework of the U.S. Government. The Secretary of Agriculture would be directed to consult and cooperate with the Director of the Peace Corps, the Administrator of AID, and

the Secretary of State. In establishing this line of coordination, it is contemplated that any personnel who are trained and prepared for overseas service could be made available to agencies other than the USDA (or vice versa) if the President thought their services would be more valuable with some other agency. Also, the legislation is directed toward preserving the traditional responsibility and authority for the conduct of the foreign affairs of this country to continue to be lodged in the hands of the Secretary of State.

Thus, the first point is coordination. Coordination, I have found, is weak in some areas at the present time. Coordination within the Department of Agriculture and within our Government will, I hope, more effciently and effectively channel the export of our most valuable commodity—American agricultural genius.

THE ROLE OF LAND-GRANT AND OTHER COLLEGES

The second part of this proposal, which is new, is the structuring of the major responsibility through land-grant colleges and other institutions of higher learning. On a contract or grant basis, these colleges would have three responsibilities. The first would be to train or retrain people who are either skilled in agricultural science and have a formal education in agriculture or home economics or to prepare practical farmers, farm wives, or others who have a workable knowledge of farming and home economics for service overseas.

This effort, as I contemplate it, would be conducted by the colleges themselves and would not require the Federal Government to establish expensive new facilities or hire faculties or instructors to perform these educational services.

The second function would be to establish agricultural institutes—more like short courses in practical agriculture—both here in the United States and overseas. These specialized agricultural institutes would be directed toward the training of persons who serve as volunteers in this program and foreign nationals. To the maximum extent possible, foreign currencies generated by the sale of farm commodities would be earmarked for the payment of expenses incidental to the conduct of these activities.

The third function would be to conduct selective research activities in conjunction with the agricultural institutes, emphasizing tropical and subtropical agriculture. During the hearings, one of the points made by several of the expert witnesses the Committee heard was that there is a real lack of first-class localized research facilities in tropical and subtropical areas. Many times the technology of the north temperate zone of the Globe is not readily and feasibly transferred to a tropical area. Again, using local currencies as much as possible, it seems feasible to concentrate on localized conditions and then demonstrate to the agricultural industry in the recipient country the value of this new technology.

SUMMARY

In summary, the concept embodied by my amendment to H.R. 14929 is something old, but also something new. It takes the concept of technical assistance, coordinates it within the USDA, and within the U.S. Government. It is structured through the land-grant and other colleges to provide training programs, the establishment of agricultural institutes and research and demonstration activities designed to meet man's most basic need—the need for food—a need which, if unsatisfied, could lead to the destruction of world peace.

I would certainly hope that Missouri farmers will take an active interest in this program. With your help, it can become a reality and an effective instrument to meeting some of the many challenges that lie ahead for our country. Thank you.

## DISSENT—FREE SPEECH ON THE CAMPUS

Mr. HART. Mr. President, while our Nation's papers daily report details of the dissent of our citizens it seems appropriate to invite my colleague's attention to a speech by Michigan's distinguished Attorney General Frank Kelley.

Addressing a freedom forum at Albion College in May, Attorney General Kelley made one of the best arguments for dissent I have ever heard.

Recognizing that free speech carries with it responsibility—and civil disobedients must be willing to bear the consequences of their acts—he also points out the fallacy of the "book-banners" and "mind censors."

Mr. President, I would do a disservice to a thoughtful, well-organized speech if I attempted to summarize it further. May I instead, ask unanimous consent that the speech be printed in full in the RECORD and commend it to all.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

DISSENT IN DEMOCRACY: FREE SPEECH ON THE CAMPUS

(By Attorney General Frank J. Kelley, at Albion College Freedom Forum)

Somewhere in the dark caverns of time an ape-like man turned his back on the tribe with which he was living and refused to go along with a plan, perhaps to kill the occupants of the next cave, or perhaps he decided to wear an animal skin instead of going around unclothed as had been the custom. And in these acts the long history of dissent began.

Indeed, each new chapter in the history of mankind had begun with a dissent, whether it be storming the Bastille, firing at the ramparts of Fort Sumter, attacking the Winter Palace in St. Petersburg, or sitting in the *front* of the bus in Atlanta. Dissent is the great fermenter of history. Without it our institutions, our social orders, our governments would have remained stagnant and would have drowned in the heavy quicksand of their own immobility.

Thus, dissent is neither alien nor unwelcome. It is natural, and there should be no more natural place for dissent than in a democracy, unless it be on a campus in a democracy. Our colleges and universities, which provide the depositories of our knowledge and the proving ground for our new ideas, must inexorably be bound up with both the substance and the mechanism of dissent. After all, if not here, where?

Dr. Robert M. Hutchins, formerly President of the University of Chicago, underlined the role of dissent on the campus when he testified as follows in 1952 before a House Committee:

"* * * a university is a place that is established and will function for the benefit of society, provided it is a center of independent thought. It is a center of independent thought and criticism that is created in the interest of the progress of society, and the one reason that we know that every totalitarian government must fail is that no totalitarian government is prepared to face the consequences of creating free universities.

"Education is a kind of continuing dialogue, and a dialogue assumes, in the nature of the case, different points of view.

"The civilizations which I work and which I am sure every American is working toward, could be called a civilization of the dialogue, where instead of shooting one another when you differ, you reason things out together.

"In this dialogue, then, you cannot assume that you are going to have everybody thinking the same way or feeling the same way. It would be unprogressive if that happened. The hope of eventual development would be gone. More than that, of course, it would be very boring.

"A university, then, is a kind of continuing Socratic conversation on the highest level for the very best people you can think of, you can bring together, about the most important questions, and the thing that you must do to the uttermost possible limits is to guarantee those men the freedom to think and to express themselves."

It seems to me that the point that colleges and universities are the most natural places for dissent is hardly arguable. But if that is so, why is Albion College devoting its prestigious and nationally-recognized Freedom Forum to the topic "Dissent in Democracy" with special emphasis on Dissent on the Campus? And why have you been able to attract so many keenly concerned spokesmen for so many important viewpoints and organizations?

I believe that the answer to that question lies in concern with what we dissent *about*, and *why* we go about dissenting. In other words, the subject matter of the dissent and the method of dissent represent the crux of this controversey, not the principle of dissent itself.

As a background for our observations, it would be helpful for us to remember the words of the First Amendment of the United States Constitution. They provide in pertinent part: "Congress shall make no law * * * abridging the freedom of speech * * *."

The cases which have interpreted the scope of the First Amendment's protection of freedom of speech have indicated the broad nature of that protection. In the first place, it has been determined by the court that the right of freedom of speech which the First Amendment protects (from abridgment by Congress) is among those fundamental rights and liberties protected by the due process clause of the Fourteenth Amendment from impairment by a state or by an agency of the state (such as, a state university).

It is also important to know that the United States Supreme Court has recognized that the First Amendment does not speak equivocally, and has ruled that it is to be taken as a command of the *broadest* scope that explicit language read in the context of a liberty-loving society will allow. Nor will the Supreme Court allow evasion by devious means; it has ruled that regulatory measures, no matter how sophisticated, will be struck down if their purpose is to suppress rights guaranteed by the First Amendment.

In a series of important cases, the Court has ruled that the right of free speech and free press is not confined to any field of human interest; that under the First Amendment the public has a right to every man's views, and every man the right to speak them; and that freedom to engage in association for the advancement of beliefs and ideas is an inseparable aspect of freedom of speech.

Now, these are broad and meaningful interpretations by the highest court of our land. Are there, then, judicially drawn limits to this broadly stated freedom? The answer is "yes," but they are carefully limited. The restrictions allowed are those necessary to the maintenance of a civilized society. And the power of the state to abridge the freedom of speech is held to be the exception rather than the rule.

"The clear and present danger rule," first enunciated by Justice Holmes in 1920, and amplified by Justice Brandeis and by other justices more recently, states essentially that the First Amendment provides protection for utterances so that printed or spoken words may not be the subject of prior restraint or punishment unless its expression creates a

clear and present danger about a substantive evil which the government has power to prohibit. In other words, the government may not cut off a man's right to speak his views unless his words threaten clearly and imminently to ripen into conduct against which the public has a right to protect itself.

Very recently, within the last couple of years, the United States Supreme Court has even more sharply defined the broad scope of the First Amendment. It has been held that the First Amendment secures the widest possible dissemination of information from diverse and antagonistic sources, as well as freedom of expression on public questions; and further that the First Amendment requires that debate on public issues should be uninhibited, robust, and wide open. Such debate, the court has held, may well include *vehement, caustic,* and *sometimes unpleasantly sharp attacks on government and public officials.* And, finally, that the protection given free speech and the press by the federal constitution was fashioned to assure unfettered interchange of ideas for the bringing about of political and social changes desired by the people, and such protection does not turn upon the truth, popularity, or social utility of the ideas or beliefs offered.

These ringing statements by our highest court indicate that we have a legal tradition that jealously guards the right to dissent. They give broad protection both of the *subject matter* and the *method* of dissent. As to the method of dissent, the Court has held that freedom of speech is not limited to a particular medium of expression. The right to express one's views in an orderly fashion extends to the communication of ideas by handbills, by literature, by peaceful picketing, and by other means.

Certainly, such a wide-ranging legal tradition for our society as a whole suggests that the widest possible freedom for dissent be maintained for our colleges and universities wherein lies the vanguard of thought for our society.

But, unfortunately, there are those self-appointed guardians of the political faith of our students who feel compelled to attempt to impose their myopic restraints upon their would-be wards. They seek to build a Berlin-like wall around the marketplace of ideas which is the campus, and they hope by so doing to lock out what *they* consider to be poisonous ideas.

If they cannot burn the books, they attempt to ban them. They seek to bar the university's facilities from use by "controversial" speakers. When students organize and speak out and debate, these would-be censors of the mind fairly writhe in righteous indignation. They want the student to learn, but only so much; to listen, but only partly; to inquire, but only up to a point. In other words, they want these students to be just like them, to be their replicas, to think as they do, to act just as they would. There can be only one rejoinder to the horrendous possibility—"heaven forbid." These timid censors of the mind apparently have so little faith in the capacity and judgment of today's college population that they fear their exposure to any ideas which do not conform to their own narrow norm.

I do not believe that our present student population can be stereotyped in this fashion. Yesterday's stereotypes must be distinguished from the facts; just as some attempt to put students into a category of non-thinking, pleasure-seeking individuals, so are there those today who continue to use the trite dichotomy about the special interests of business and labor. All of business, in their view, is only concerned with profits and reactionary policies to support them, and all of labor is interested only in furthering its own goals. The truth is that business and labor are working closely together on many fronts to further the social and economic progress of the nation.

Just as the facts prove that these old stereotypes are wrong, so do the facts prove the censors of the mind wrong when they have no faith in our student population.

It is my belief that our current university generation displays an unprecedented maturity of judgment, an unparalleled awareness of the problems of our time, and an unmatched concern for their fellow man. Certainly, they evidence a greater awareness of the world around them than we, their fathers and their grandfathers, whose main collegiate concern were the raccoon coat, goldfish, and a bottle of hootch.

This maturity is indicated not only in the active dissent on the campus but in the reaction of other students to the dissenting activities of their fellows. John Pemberton, Jr., Executive Director of the American Civil Liberties Union, who is a guest at today's Forum, has noted:

"It is to the credit of the student generation that the response of their 'hawks' to petitions, pamphlets, and demonstrations to end United States involvement in the Vietnam war has taken the form of counterpetitions, pamphlets and demonstrations more often than an attempt to repress the protest of the 'doves.'

Mr. Pemberton sees in this a positive effect on our society. He says:

"The new assertiveness of the student movement and the responsive chord heard from many of the students' elders may foreshadow an enlarged determination by citizens to use those rights essential to the working of self-government—to use them in the definition, analysis and resolution of matters, which, as consumers of government they find to be most urgent today.

"This is important not merely because it promises to resist tensions which work toward contraction of these right and liberties. Its importance lies in the necessity for procedures of self-government to be made to work effectively, so as to solve novel problems of enormous potential for social dislocation."

Nor is this evidence of dissent on the campus limited to the students. The faculties of many of our schools are intimately involved in various protests. Mr. Russell Kirk, a leading conservative, discussed this phenomenon in last Sunday's *New York Times Magazine.* He asked:

"Should the scholar give primacy to our present discontents? Should he issue manifestoes and fulminations on the principle issues of foreign affairs, protest and demonstrate, league himself with party and faction, offer a confident prescription for the woes of all the world?"

From the way he asked these questions you can judge that Kirk's personal answer is "no." He finds the professors' invasion of the world of discontent to be unseemingly and to put him in the class of an "ideologue" instead of a scholar. He describes an ideologue as a "political dogmatic hotly seeking his particular Utopia." He says that by his nature "the scholar is not calculated for direct action, nor is the professor endowed with the talents of neither lion or fox." And then, characteristically, Mr. Kirk quotes Nietzsche who said: "In politics, the professor always plays the comic role." I very seldom agree with Nietzsche, and this is no exception; and by the same token I cannot agree with Mr. Kirk. I believe that the scholar must be a vital part of his time, and, therefore, of necessity, he must participate in the day-to-day stresses and strains, and join, when moved, to dissent. Too long have the inhabitants of the ivory towers of academia been dropouts from the dialogues of the real world. Those who refuse to join the realities of today are in my view, not meeting their full responsibility.

In doing so, the university community must, in the words of John Kenneth Galbraith, spoken in Michigan just the other day, adopt "a few rules of sound political behavior."

"Men of substantial intellectual qualification should not imitate the tendencies of government officials, in whom error is a good deal more forgivable, by allowing themselves to be overcome by their own wishes.

"To identify oneself dramatically with an idea is not to serve it."

So what we need from the academicians is not only a commitment, but one which fits their responsibility and their intellectual maturity.

The point of all of this is that we should encourage diversity, not stifle it. The surest road to national ruin is that which follows the path of conformity. Free speech on the campus is one of the most reliable antidotes to such conformity.

Now, it is easy for those of you who are students to nod your consent to what has been said. I am sure that you want your full measure of rights, including freedom of speech. But if you are as mature as I contend you are, you also realize that freedom of speech carries with it a great measure of responsibility upon the individual who utilizes it. The capricious use of this freedom is detrimental to the freedom itself and in the long run is self-erosive.

As one who is sworn to uphold the law, and devoted to the rule of law as opposed to the rule of men, I cannot condone deliberate violations of the law which utilize freedom of speech as a cloak of self-protection. For instance, where it is possible to march in a parade in order to voice some kind of dissent, or to pass out leaflets, or to make a public speech, I feel that it is neither necessary nor legal to sit down in the middle of a busy street and block traffic. Where legal and effective channels for the expression of dissent exist, they must be used.

But is there a situation where one is justified in breaking a law which he considers unjust, and can he be protected under the doctrine of free speech when he does? Philosophers for thousands of years have debated the principle of civil disobedience. Thoreau and Gandhi, in more recent times, have expressed important views on this subject. Does an individual have a *right* to engage in civil disobedience when the law in question violates his own conscience, or what he regards as the natural law?

There are some who answer that question, "yes." Harrop A. Freeman, a Cornell University authority on constitutional law, claims that civil disobedience is a recognized procedure to challenge the law and to obtain court rulings. He says, therefore, that he "cannot see any reason for jail sentences, or sentences more severe than for those challenging law for other reasons" (for example, as when a person violates a contract in order to litigate its legality). Freeman, therefore, contends that civil disobedience should be given the protection of the First Amendment.

I cannot agree. I believe that one who violates the law must be prepared to accept the consequences. Listen to what Bayard Rustin, the civil rights leader who organized the Freedom March in Washington, has to say on the subject. Rustin contends that no one has the *right* to civil disobedience. Rather, he says, the individual has a *duty* to himself to engage in civil disobedience when the law violates his own conscience, or what he regards as the natural law. Rustin states that unless we accept the doctrine of the duty of civil disobedience, we cannot condemn the Nazi leaders whose argument was that they were merely following orders from above when they murdered millions of people in the name of the Third Reich.

But, he adds, the person who engages in civil disobedience must be prepared cheerfully to accept the consequences. He says:

"When the policeman taps me on the shoulder and says, 'You are under arrest,'

I believe I strengthen my ability to educate the people in the South who disagree with me by answering, 'Yes, officer, I have broken the law because I believe it is wrong. I am perfectly willing to go with you. I don't want you to carry me.' And when I get to the judge, I want to say to him, 'I have done what society feels is wrong. I accept the punishment.' "

But while most of us would agree that the doctrine of free speech does not protect one engaged in civil disobedience, there are some who would refuse to permit the First Amendment's protection to be utilized by those who they consider to be spreading dangerous ideas. We need not look far for examples.

Less than 3 months ago, a majority of the Michigan State Senate passed a resolution seeking to bar Herbert Aptheker, Director of the Institute for Marxist Studies, from appearing on the campuses of our state universities. It was and is my opinion that this attempt to restrict freedom of speech was shocking, unwise, and illegal.

While the universities rejected the attempted intimidation and permitted Aptheker to speak, there were many who joined the chorus of those seeking to bar him. Their general theme was that while they believed that criticism of the American way of life should be permitted, Aptheker was, in his views particularly on Vietnam, attacking the very substance and security of our nation. On the day Aptheker was to speak in March, a newspaper said this:

"The sharpest criticism of the shortcomings if it serves to consolidate our society, to purify it, and strengthen it, has been, is, and will be, in every way encouraged. *But* criticism from positions of hostility and slander aimed at undermining the very foundations of our system and at sapping its strength has been, is, and, of course, will *always* be rebuffed."

The interesting fact, my friends, is that the quote I have just given was not from a Michigan newspaper giving arguments in favor of barring Aptheker from speaking on an American campus, but rather what I read you was a direct quote from *Pravda*, the official organ of the Communist Party of the Union of Soviet Socialistic Republics, in defense of the Soviet Union's harsh punishment of two Russian writers who were charged, tried, found guilty, and imprisoned at hard labor for writing "anti-Soviet propaganda harmful to the Soviet people."

We condemn this kind of repression in the Soviet Union; dare we not condemn it here in this nation; indeed, in this very state?

So, it was very disturbing to note that support for the Senate's action came from high places. Our Governor said that while he agreed that the college presidents have the constitutional right to decide who speaks, he, himself, would probably have barred Aptheker as "a speaker who seeks to further the objectives of the Communist party."

As *The Detroit News* editorialized, "Even if that was Aptheker's purpose, isn't the Governor coming perilously close to the position of the Soviet Supreme Court in condemning those who don't think correct thoughts."

The case of Andrei Synyavski and Yuli Daniel, the two Russian writers, is a classic one of repression by the state of freedom of speech. We except this in a totalitarian regime, but we can neither approve nor permit similar repressions in our own nation.

Here on the beautiful campus of this excellent college, you have proven *your* devotion to free speech by the very creation and maintenance of these freedom forums. Let us ask the frightened few who tremble when the platforms of our universities are left open for all to ascend and speak—Do you really think that programs such as these, which permit the expression of divergent views, represent a danger to our youth and to our security? If you do, you have much less faith in the strength of our nation and our way of life than your super-patriotic posturings would indicate.

It is my personal belief that Mr. Gus Hall represents a party whose policies are determined by a foreign government for its own imperialistic interests. By the same token, it is my personal belief that Dr. van den Haag represents a point of view which is so disastrously reactionary that to adopt it would endanger over 30 years of social, economic, and political progress in this nation.

But, I believe that both of these men have a right to be heard. If there are some who do not wish to listen, so be it. But do not let them put their hands over the ears of others!

Let the ideas of all men pass through the ears and into the minds of all who are willing to listen. Our nation, our purpose, and our will, will be stronger for it.

Let us, in this nation, heed the plea made to his native India by the eloquent poet and philosopher, Rabindranath Tagore:

"Where the mind is without fear and the head is held high;

"Where knowledge is free;

"Where the world has not been broken up into fragments by narrow domestic walls;

"Where words come out from the depth of truth;

"Where tireless striving stretches its arms towards perfection;

"Where the clear stream of reason has not lost its way into the dreary desert sand of dead habit;

"Where the mind is led forward by Thee into ever-widening thought and action—

"Into that haven of freedom, my Father, let my country awake."

Ladies and gentleman, *our* country *is* already awake; we can keep it that way only if we keep the doors to the mind open. Let that be our goal.

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## SECOND ANNUAL MAYORS PRAYER BREAKAST, CHICAGO, ILL.

Mr. DOUGLAS. Mr. President, on March 3, 1966, the second annual mayors prayer breakfast was held in Chicago, Ill., with the mayor of Chicago, mayors of 31 Chicago area cities, and 1,000 in positions of leadership in attendance.

I understand that there have been 1,200 such mayors prayer breakfasts the past year and this event proved to be very meaningful, not only to those who gathered at the breakfasts, but also to millions of citizens across this Nation.

I ask unanimous consent to have printed in the RECORD at this point the program and the proceedings of this second annual prayer breakfast.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE SECOND ANNUAL CHICAGO MAYORS PRAYER BREAKFAST PROGRAM

Presiding: Mr. John D. deButts, President of Illinois Bell Telephone Company.

Music: "God of our Fathers," the Northwestern University Glee Club, Mr. William Ballard, Director.

Invocation: Mr. William H. Avery, Attorney.

Old Testament Reading: Mr. Gardner H. Stein, President of Hillman's Inc.

New Testament Reading: Mr. William J. Quinn, President of the Milwaukee Road.

Solo: Mr. Glenn Jorian. Mr. Bud Kroedler, accompanist.

Remarks: The Honorable Richard J. Daley, Mayor of Chicago.

Message: General Harold K. Johnson, U.S. Army, Chief of Staff.

Closing Prayer: Mr. John H. Johnson, Publisher, *Ebony Magazine*.

Closing Song: "America the Beautiful," Northwestern University Glee Club.

Chairman JOHN D. DE BUTTS. The opening prayer will be offered by Mr. William H. Avery.

Mr. WILLIAM H. AVERY. Our Father, we thank Thee for Thy constant love, mercy and care. For Thy word through which we learn of Thee and Thy message. For Thy Son, Jesus Christ, through whom we seek Thy forgiveness of our sins of commission and omission and through whom we may be granted eternal life. For Thy priests and ministers, and for young people who are entering the ministry. We also thank thee, our Lord, for the freedom which we enjoy in this country of ours. And for the liberty which carries with it rights and privileges which we must exercise with responsibility as Christian citizens. For good health, which we usually appreciate only when we lose it. And for the multitude of opportunities which, we pray, we may realize and fulfill by serving Thee and our fellowman. We especially thank Thee for the opportunity to commune with Thee in prayer, in private or in a group as we do today. Our God, we pray for all mankind of every race and creed, knowing that all of us need Thee and through Thee may be reconciled with each other. For all who are in pain or in peril, at home or in foreign lands. For all persons who are in sorrow—that they may be comforted and strengthened. For all who are alone—knowing that through faith in Thee, one need never be alone. For Thy servants, that they may be sustained and inspired, despite all obstacles, burdens and disappointments. For all in positions of authority, that in exercising their authority, they may seek and do Thy will. And for all citizens, that we may have better insight and may realize the joy that comes in Thy service. Oh Lord, open our lives to Thee. Open our ears, that we may hear Thy message through Thy ministers and through the Holy Spirit, as we commune with Thee in prayer. Open our eyes to the manifestation of Thee, in all the wonders of nature, both on this earth and in space, which we are only beginning to penetrate, and in the lives of Thy servants.

Open our minds to Thy truth, as it may be revealed to us through the Bible, through science and through the experiences which we encounter in our daily lives. Open our hands and our hearts, that we may give back to Thee and share with others a substantial portion of what Thou hast bestowed on us. Open our mouths that we may carry Thy message to others. Finally, we rededicate ourselves to Thee, and Thy service. May we joyously and unconditionally surrender our lives to Thee . . . realizing that it is in loving Thee and doing Thy will that we fulfill the purpose for which we were created. All of which we ask in Christ's name. Amen.

Chairman DE BUTTS. On behalf of the 150 members of the Sponsoring Committee I am indeed happy to welcome you, one and all, to this continuation of what I consider an outstanding event in the civic and spiritual life of our metropolitan area.

Our gathering this morning, as many of you know from your attendance last year, is patterned after the Annual Presidential Prayer Breakfast in Washington, D.C., a function which was begun several years ago by a weekly prayer breakfast that was held in the United States Senate and the House of Representatives.

Interest has grown immensely over the years and nowadays men like ourselves are holding similar events throughout the entire United States, and yes—even throughout the world.

We don't know what may come of this meeting or any meeting like it—where men seek to reaffirm their faith and their dedication to

God in daily life—public or private. Nor, do we necessarily look for any particular result from our once-a-year gathering.

Rather, we are a nucleus in the community of mankind, a group of citizens—including many leaders in social, political and economic endeavors—who wish to strengthen the spiritual foundations on which all our efforts must be based, if they are to be effective, lasting credits to our fleeting time on earth.

If this annual expression of our enduring faith in God helps us to become more aware of our responsibilities to our fellowmen, more conscious of the moral disciplines faith imposes upon us, and more able to inspire others with the spiritual rewards which come through faith—then we will know the true value of our meeting.

Let us now hear a reading from the Old Testament, which will be given by Mr. Gardner Stern, President of Hillman's, Inc.

Mr. GARDNER H. STERN. Isaiah, Chapter 58, Verses 1 through 14.

"Cry aloud, spare not, lift up your voice like a trumpet; declare to my people their transgression, to the house of Jacob their sins.

"Yet they seek me daily, and delight to know my ways, as if they were a nation that did righteousness and did not forsake the ordinance of their God; they ask of me righteous judgments, they delight to draw near to God.

"Why have we fasted, and thou seest it not? Why have we humbled ourselves, and thou takest no knowledge of it? Behold, in the day of your fast you seek your own pleasure, and oppress all your workers.

"Behold, you fast only to quarrel and to fight and to hit with wicked fist. Fasting like yours this day will not make your voice to be heard on high.

"Is such the fast that I choose, a day for a man to humble himself? Is it to bow down his head like a rush, and to spread sackcloth and ashes under him? Will you call this a fast, and a day acceptable to the Lord?

"Is not this the fast that I choose: to loose the bonds of wickedness, to undo the thongs of the yoke, to let the oppressed go free, and to break every yoke?

"Is it not to share your bread with the hungry, and bring the homeless poor into your house; when you see the naked, to cover him, and not to hide yourself from your own flesh?

"Then shall your light break forth like the dawn and your healing shall spring up speedily; your righteousness shall go before you, the glory of the Lord shall be your rear guard.

"Then you shall call, and the Lord will answer; you shall cry, and he will say, Here I am. If you take away from the midst of you the yoke, the pointing of the finger, and speaking wickedness, if you pour yourself out for the hungry and satisfy the desire of the afflicted, then shall your light rise in the darkness and your gloom be as the noonday.

"And the Lord will guide you continually, and satisfy your desire with good things, and make your bones strong; and you shall be like a watered garden, like a spring of water, whose waters fail not.

"And your ancient ruins shall be rebuilt; you shall raise up the foundations of many generations; you shall be called the repairer of the breach, the restorer of streets to dwell in.

"If you turn back your foot from the sabbath, from doing your pleasure on my holy day, and call the sabbath a delight and the holy day of the Lord honorable; if you honor it, not going your own ways, or seeking your own pleasure, or talking idly;

"Then you shall take delight in the Lord, and I will make you ride upon the heights of the earth; I will feed you with the heritage of Jacob your father, for the mouth of the Lord has spoken."

Chairman DE BUTTS. And now we will hear from Mr. William J. Quinn, who is President of the Milwaukee Road, and who will read a section from the New Testament scripture.

Mr. WILLIAM J. QUINN. Reading from the First Epistle of Paul the Apostle to the Corinthians, Chapter 13, Verses 1–13.

"Brethren, I may speak every language used by man or angel, but if I have not the gift of charity, I am nothing more than a blaring trumpet or a tinkling cymbal. I may have such gifts of prophecy that I know all mysteries and all that can be known. And I may have such perfect faith that I can move mountains. But if I have not charity, I am nothing. I may give away all my property to feed the poor and surrender my body to be burned—but if I have not charity, it is all worthless.

"Charity is patient. Charity is kind. Charity is not jealous. She is unassuming. She is not puffed up. She does nothing base. She does not pursue her own interests. She is not quick to anger. She does not remember an injury. She takes no delight in wickedness but finds her joy in true virtue. She is long suffering. She has faith. She hopes. She endures the end.

"Have you gifts of prophecy? They will come to an end. Have you the gift of languages? It will pass away. Have you the gift of knowledge? That, too will lose its value. For our knowledge is less than perfect, and our gifts of prophecy are less than perfect. And when that which is perfect arrives, all that is less than perfect will come to an end. Even so, when I was a child, I spoke as a child. I thought as a child. I reasoned as a child. But now that I am a man, I have no further use for my childhood ways. In this world, we see a vague reflection in a mirror—but hereafter we shall see face to face. In this world, I know less than perfectly. Hereafter I shall know just as I am known. In this world, there are three gifts which endure. Faith—Hope—Charity. And the greatest of the three is Charity."

Chairman DE BUTTS. And now, ladies and gentlemen, I would like to introduce a man who is known to everyone here as an outstanding civic administrator and public official, a man who has gained the admiration of everybody in this area—yes, throughout the entire nation—for his ability, his dedication and his unselfish devotion to the welfare of his city, a man to whom principle and high ideals are paramount—our Mayor of Chicago—The Honorable Richard J. Daley.

The Honorable RICHARD J. DALEY. Thank you very much. General Johnson, fellow mayors, ladies and gentlemen. This is another great day in the history of our city and our community, and all of us are better for attending this breakfast. If the spirit and the action of the Old Testament, as read by Gardner Stern, and the New Testament, as read by Bill Quinn, would be with us every moment of our daily lives, what a greater city we'd have and a greater country—a better country. And what a greater community.

I congratulate John de Butts and his fine committee, the founders of this breakfast. I congratulate you for your attendance. We all realize that we're human and that we make many, many mistakes in many, many years—in every hour of our lives. But with the constant use of prayer, we can, in my humble opinion, resolve much of the conflict and controversy into love and charity. You are better today for attending this affair. And may we take the theme of this breakfast with us and try to carry it out humbly and humanly as we live every minute of our lives.

Chairman DE BUTTS. Thank you very much, Mayor Daley. We are honored today, by the presence of a man with deep religious convictions—a man who has distinguished himself and his country many times. He has endured what most of us would consider the unendurable. And now he holds responsibility which few men are ever called upon to assume.

On July 3rd, in 1964—President Johnson designated him Chief of Staff of the United States Army. Our guest speaker is the youngest Chief of Staff since the late General Douglas MacArthur held the post.

Gentlemen, I am honored and extremely pleased to present to you one of the busiest men in the Pentagon—General Harold K. Johnson, Chief of Staff of the United States Army. General Johnson.

General HAROLD K. JOHNSON. Thank you. Thank you, Mr. de Butts, Mayor Daley. Just 27 days more than one year ago this morning, it was my great privilege to be the lay speaker at the Annual President's Prayer Breakfast in Washington. The prayer breakfasts, as some of you know, and I'm sure that many of you do not, are sponsored by International Christian Leadership.

My own association with International Christian Leadership has been only indirect. However, I can state categorically that it has only one objective and that is to turn men to God; to turn them to God—to seek advice when great wisdom is required—to seek comfort when in trouble—to seek strength to undertake or pursue difficult courses of action—and to seek a friend in those sometimes troubled periods when not a single friend appears to exist.

I have no reason to know why I was selected by the Committee for the Presidential Prayer Breakfast, except that a layman had not spoken for a number of years and a layman in a military uniform had never spoken. And I might say that my predecessor as a speaker was the Reverend Bill Graham and my successor as a speaker was the Reverend Billy Graham—and so apparently I didn't do very well. But as a result of that particular appointment two significant events have influenced my life. First, I became acquainted with the Executive Director Emeritus of International Christian Leadership and the founder of the movement, Dr. Abraham Vereide, who is now in his 80's.

He is the most remarkable and the most inspirational person that I have ever met. Any of you who have the privilege of knowing him I'm sure would agree—and any who don't—if you ever had the opportunity of meeting him—would be well served if you took advantage of that opportunity.

But the surprising thing to me was the quantity of mail that came in after that appearance and the bewildering thing was that people could be surprised that a man in uniform could express publicly his belief in Almighty God. And I simply can't understand this.

God is the soldier's refuge. God is the soldier's strength. God is the soldier's constant companion. It can't be any other way.

Now, not only must God be the soldier's constant companion, God must be a companion to all men. There can be no doubt in any man's mind, nor in any man's heart—that God is our sustenance and our strength. Each of us must believe wholeheartedly and fiercely in the power and the glory and the strength of Almighty God.

And I suppose, really, it would be more proper to say that each man must seek the companionship of God. Because, God is always there, always waiting, always filled with giving, if we will only seek his help.

Now each of us has a great variety of experiences that we recall from time to time. I know that I can vividly remember attending Sunday School and Church as a very young man and as a boy. I can recall a period of doubt and great inner anguish as I sought an eternal truth that is the illusive goal of all mankind, until they turn to God, until they make peace with themselves and until they establish some communication with their God. I can recall a period in 1931 when pacifist causes were springing up all over the United States and many of the

church denominations were supporting those causes. And during one of the periods that a cadet in those days had summer leave from West Point, I removed my Certificate of Membership—church membership—from its frame on the wall in my room at home and I carried it back to my pastor.

Now I don't believe that I would take such an action today and I simply cite this as one evidence of this eternal struggle that goes on within each one of us all the time.

I can recall a Sunday morning in 1933, sitting with my father in a pew in a small Protestant Church in North Dakota. On this Sunday—the Sacrament of the Holy Communion was observed. And as my father arose and proceeded to the altar rail, he looked expectantly at me and I said, "I cannot." He didn't question me, because he felt my problems were my problems. We discussed this at great lengths, and my beliefs were my beliefs, not his.

And when the war broke out in 1941, the Philippine Scout Regiment, to which I was assigned, was about 97% Catholic, and as a result we had only Catholic Chaplains assigned. I'm a Protestant. Nonetheless, each of the Protestants in that Regiment turned to that Catholic Chaplain to help him reestablish his communication with his God.

Now I took my next Communion referring back to 1933, in far North Korea on Thanksgiving Day, 1950. Now I don't believe that I was an atheist or an agnostic during this period. As a matter of fact, I taught a Sunday School class while I was a student at the Armed Forces Staff College earlier in 1950. I simply describe my own circumstance, and forgive me for so much personal reference, but I describe it to make crystal clear what I believe to be a continuing competition between human appetites resulting in human misbehavior—human failure—and the always present, quiet, persuasive voice of God trying to guide us to the right path that we may contribute our part for the benefit of mankind.

Now what contribution can we make? The 12th Verse of the 7th Chapter of Matthew has a very simple answer.

"Treat other people exactly as you would like to be treated by them."

That's the way Phillips translates it. The St. James Version says this:

"Therefore, all things whatsoever ye would that men should do to you, do ye even so to them; for this is the law of the prophets."

And then Mark says, in the 43rd and 44th verses of the 10th Chapter:

"Whoever among you wants to be great must become the servant of you all; and if he wants to be first among you, he must be your slave."

One can ask, "What can a single person do?" I'd like to quote a short piece that has been attributed to many authors but none has been identified, to my knowledge, and this is called "One Solitary Life." I quote:

"Here is a man that is born in an obscure village, the child of a peasant woman. He grew up in another obscure village. He worked in a carpenter shop until He was 30, and then for three years He was an itinerant preacher. He never wrote a book. He never held an office. He never went to college. He never put His foot inside a big city. He never traveled 200 miles from the place where He was born. He never did one of the things that usually accompany greatness. He had no credentials but Himself. He had nothing to do with this world except the naked power of His divine manhood. While still a young man, the tide of popular opinion turned against Him. His friends ran away. One of them denied Him. He was turned over to His enemies. He went through the mockery of a trial. He was nailed to a cross between two thieves. His executioners gambled for the only piece of property He had on earth while He was dying—and that was His coat. When He was dead He was taken down and laid in a borrowed grave through the pity of a friend."

And I continue to quote:

"Nineteen wide centuries have come and gone and today He is the centerpiece of the human race and the leader of the column of progress.

"I am far within the mark when I say that all the armies that ever marched, and all the navies that ever were built, and all the parliaments that ever sat, and all the kings that ever reigned, put together have not affected the life of man upon this earth as powerfully as has that one solitary life." End of quote.

Now while some among us may not subscribe to the Christian faith, I would like to quote from the 12th Chapter of the First Corinthians, Verses 4–11, and this comes from Phillips' translation.

"Men have different gifts, but it is the same Lord who is served. God works through different men in different ways, but it is the same God who achieves His Purposes through them all. Each man is given his gift by the Spirit that he may make the most of it. One man's gift by the Spirit is to speak with wisdom, another's is to speak with knowledge. The same Spirit gives to another man faith, to another . . . the ability to heal, to another . . . the power to do great deeds. The same Spirit gives to another man the gift of preaching the word of God, to another . . . the ability to discriminate in spiritual matters, to another . . . speech in different tongues, and to yet another . . . the power to interpret the tongues. Placing all these gifts is the operation of the same Spirit, who distributes to each individual man, as He wills."

Now what gifts do you have? What use are you making of your gifts? Are you giving of yourselves?

Obviously, a man must answer these questions for himself and to himself. He must face himself in the mirror every morning and be satisfied by what he sees. And then, in the second chapter of James in the 14th through the 24th verses—one finds these words—and I quote again from Phillips:

"Now what use is it, my brothers, for a man to say he 'has faith' if his actions do not correspond with it? Could that sort of faith save anyone's soul? If a fellow man or woman has no clothes to wear and nothing to eat, and one of you say, 'Good luck to you, I hope you keep warm and find enough to eat,' and yet give them nothing to meet their physical needs, what on earth is the good of that?

Yet, that is exactly what a bare faith, without a corresponding life is like—useless and dead. If we only 'have faith,' a man could easily challenge us by saying, 'You say that you have faith and I have merely good actions, but I can show you by my actions that I have faith as well.'

To the man who thinks that faith by itself is enough, I feel inclined to say, 'So you believe there is one God? That's fine. So do all the devils in hell, and shudder in terror!' For, my dear short-sighted man, can't you see far enough to realize that faith without the right actions is dead and useless. Think of Abraham, our ancestor. Wasn't it his action which really led him to offer his son Isaac on the altar? Can't you see that his faith and his actions were, so to speak, partners—that his faith was evidenced by his deed? That is what the Scriptures mean when it says:

And Abraham believed God,

And it was reckoned unto him for righteousness:

And he was called the friend of God.

"A man is justified before God by what he does, as well as by what he believes."

That's the end of that passage.

Now, what is our faith? What are our deeds? Someone years ago produced a poem that describes all too accurately the attitude that most of us have, far too much of the time. I'd like to quote it for you:

"I'll go where you want me to go, dear Lord,
Real service is what I desire,
I'll say what you want me to say, dear Lord,
But don't ask me to sing in the choir.
I'll say what you want me to say, dear Lord,
I like to see things come to pass,
But don't ask me to teach girls or boys, dear Lord,
I'd rather stay in the class.
I'll do what you want me to do, dear Lord,
I'll yearn for the kingdom to thrive,
I'll give you my nickels and dimes, dear Lord,
But please don't ask me to tithe.
I'll go where you want me to go, dear Lord,
I'll say what you want me to say,
But I'm busy now with myself, dear Lord,
I'll help you some other day."

I would only question—do we sing if we can? Do we teach when we can? Do we contribute when we are asked? Do we acknowledge our God with simple pride rather than with hesitant, reluctant shyness? Again, only each one of us can answer these questions, and only for himself alone.

Finally, I would close with the 16th verse of the 5th Chapter of Matthew.

"Let your light so shine before men that they may see your good works and glorify your Father which is in heaven."

Thank you.

Chairman DE BUTTS. Thank you, General Johnson. We are extremely grateful that you were with us this morning.

The closing prayer will be given by Mr. John H. Johnson, the publisher of *Ebony Magazine*.

Mr. JOHN H. JOHNSON. Almighty God, once again we are turning to Thee to reaffirm our abiding faith in Thy infinite power and wisdom and to draw renewed strength and hope from the knowledge that this humble gathering may be assured of Thy merciful blessing. In these troubled times, wrought with global strife and problems at home, we beseech Thee to restore upon those among us whom Thou has found worthy of holding positions of leadership the foresight necessary to make prudent decisions, the courage or conviction to stand by these decisions in the face of opposition and adversity, and finally the energy of mind and spirit to see these decisions through to their fruition.

Stand by them, Oh Lord, in their daily struggle against mankind's greatest adversaries, ignorance, intolerance, hatred, superstition, poverty and disease. Impart to them the spark of Thy divine spirit that transcends human frailty and limitations. Do not let their unending search for Thy truths go unrewarded. But fortify them in their commitment to make and uphold just laws before which all men are as equal as they are before Thee, Oh Lord. This, Almighty God, we humbly ask of Thee in our unwavering knowledge that Thy will be done. Amen.

## WHY THE WAR IN VIETNAM IS REPUGNANT MORALLY TO MANY YOUNG AMERICANS

Mr. GRUENING. Mr. President, an extremely thoughtful and timely article headed: "The Nation's Youth Feel the Primary Impact of the Effect of the Conflict in Vietnam," by Joseph A. Loftus, one of a series of four articles by correspondents of the New York Times on the impact of the Vietnam war on the American people, appears in today's, August 10, issue of the New York Times.

Mr. Loftus points out that a great number of our young people take the position and feel deeply that our war in Vietnam is repugnant morally and they see no threat to the United States security. They see their country interfering in another's domestic social revolution and supporting a corrupt government.

In this, Mr. President, they are entirely correct. Their estimate of our military involvement is sound.

Mr. Loftus quotes one of them as saying:

If the United States was actually threatened—

The young men—

would fight like hell.

The fact of the matter is that the United States was never attacked, or threatened by anything that had happened in Vietnam, and the American people have been systematically misled as to the justification for our military involvement there. Unless this is widely understood, as it should be by our fellow Americans, the reluctance of many of our young men to be drafted and sent to fight and kill people against whom they have no grievance, and who are fighting for the independence of their country, might be misjudged as a lack of patriotism. It is nothing of the kind.

These young men are among the increasing number of American people who are slowly finding out that we were not, as the official propaganda alleges, asked by a friendly government to help it repel aggression. The official record is completely bare of any such commitment to send our troops into combat in southeast Asia. President Eisenhower proffered economic aid, and only economic aid, to President Diem, whom we had brought from retirement in the United States and installed as our puppet in Vietnam, and President Eisenhower's proffer of economic aid was accompanied by conditions of reform and good performance which were never fulfilled. When there was a complete failure of compliance with these conditions, we should have pulled our economic aid out.

We did not cease giving that economic aid, but during the 6 years after the installation of Diem and during the remainder of the Eisenhower administration, we gave only economic aid and there were only a few hundred military advisers in Vietnam.

When President Kennedy came into office, he was misadvised by Secretary of Defense McNamara and increased the number of military advisers to some 20,000. But never during this period were any of our troops sent into combat. That did not take place until 1965, after President Johnson's election in November 1964.

A year ago, President Eisenhower gently corrected the allegation that he had made a pledge comparable to that which President Johnson asserted had been made by three Presidents. President Eisenhower pointed out he had only offered economic aid, which, of course, the record clearly substantiates.

President Johnson, in his state of the Union message in January of 1965, and subsequently, has stated that three Presidents have made a solemn commitment to do what we are doing in Vietnam, which has, therefore, become a national pledge. The facts do not bear out this statement.

A really solemn pledge, I would say, was made to the American people by President Johnson, and so understood by them, during his campaign for election in 1964, when he said, among other things:

There are those who say I ought to go North and drop bombs to wipe out the supply lines . . . But we don't want to get tied down in a land war in Asia.

And also:

We are not about to send American boys nine or ten thousand miles away from home to do what Asian boys should be doing for themselves.

Despite these commitments made by President Johnson in the fall of 1964, he did "go north and drop bombs to wipe out supply lines" as early as February 1965. And he also did "send American boys 9,000 or 10,000 miles from home" and got them "tied down in a land war in Asia."

In these circumstances, it is not to be wondered at that there is great distrust among the American people, particularly among our "American boys"—and their parents, too—in this war, and justifies the reluctance they feel to engage in it, which is so well expressed in Mr. Loftus' article.

In addition to the other misleading justifications from Washington officialdom is the one dredged up in recent months by Secretary Rusk and other defenders of our policy that the SEATO Treaty justifies our military intervention. This likewise is false. In fact, article 1 prescribes only peaceful action, and article 4 of the SEATO Treaty, which is cited by defenders of our military action, provides that in the event of a disturbance of the peace, the signatories to the treaty, who are, besides the United States: Britain, France, Pakistan, Thailand, the Philippines, Australia, and New Zealand, shall consult and, by unanimous agreement, decide on a course of action.

There has never been any consultation. The United States never asked for it, and had there been consultation, the required unanimity would not have been secured because both France and Pakistan are opposed to our policy in Vietnam. The basic fact is that we went half way around the world to inject ourselves into a civil war—for when the United States entered into Vietnam, the only people engaged in fighting were Vietnamese fighting each other.

In entering this civil war among Vietnamese, the United States violated every pertinent treaty to which it was a signatory. It violated the United Nations Charter—not once, but violated several provisions thereof.

Chapter 1, article 2, which provides in paragraph 3:

All members shall settle their international disputes by peaceful means.

And in paragraph 4 thereof, which provides:

All members shall refrain in their international relations from the threat or use of force.

And chapter 6, of article 33, which states:

The parties to any dispute, the continuation of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

Obviously, as far as article 33 is concerned, we did not "first of all" try any of these eight alternative peaceful procedures which the article says "shall" and not "may," be done.

And article 37, which provides:

Should the partners to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.

As the United States failed to use any of the eight peaceful means prescribed by article 33, it was required by article 37 to refer the matter to the Security Council.

That, also, the United States has not done, for the obvious reason that the free discussion in that body might be detrimental to us in its revelations by representatives of other nations not subscribing to our presentation of our case in Vietnam.

Had the United States done so, the Security Council might, under article 36, have carried the efforts for a peaceful solution still further.

In addition to violating all these provisions of the United Nations Charter, we violated article 1 of the SEATO Treaty, which likewise provides peaceful procedures.

The United States also violated the declaration of U.S. policy made by Under Secretary of State Walter Bedell Smith on July 21, 1954, pledging allegiance to the terms of the Geneva accords and particularly its promise to hold elections throughout Vietnam in 1956 to determine who would be elected to govern the reunited North and South Vietnam, which had been temporarily divided for purposes of demobilization. Our reneging on these accords, plus the oppressive tactics of Diem, gave further impetus to the civil war between the South Vietnamese—Vietcong—and the government in Saigon, which had our support.

We then violated the agreement not to introduce additional armed forces and arms into South Vietnam. The North Vietnamese subsequently also violated this agreement, but only after the United States had done so, and to a much lesser degree.

Given these facts, all of which can be fully documented, one can only come to the regrettable conclusion that the United States is the aggressor in Vietnam.

The United States entered this civil war unilaterally and in violation of all pertinent treaties. It entered it for reasons that do not stand up under the searchlight of truth. While we now

have, after much pressure and effort on the part of the administration, some token assistance from reluctant "allies," the United States is still fighting this war virtually alone.

South Vietnam has no legal or juridical validity. It was created by the United States in violation of the above cited treaties and agreements. It exists only because of U.S. Armed Forces and funds.

In addition to all this is the striking fact that during last year, 1965, there were 96,000 desertions from the South Vietnamese Army. Yet we are drafting our young men and sending them to their deaths to fight a war for which those whose cause it allegedly is show so little enthusiasm. Possibly their lack of enthusiasm is also understandable when we consider that they are being asked to fight for a corrupt, self-imposed junta of 10 generals—the eighth coup-imposed regime since the fall of Diem. It has little popular support. It owes its existence and perpetuation in office only to the support by the U.S. forces and U.S. funds. It is revealing that of these 10 generals, 9 did not fight for the independence of their country against French colonialism but supported France. And their leader, Air Marshal Nguyen Cao Ky, let it be repeated, when asked who his heroes were, replied: "I have only one, Adolf Hitler." It is profoundly nauseating that Americans should be asked to die for so shady a cause and such shabby representatives thereof in Saigon.

Altogether, some 5,000 Americans have already died in combat and the toll is mounting every day at staggering costs, not merely in lives, but in substance which is steadily eroding our much needed domestic programs, so brilliantly legislated under President Johnson's leadership in the first session of the 89th Congress.

I ask unanimous consent that the article of Joseph A. Loftus, entitled "The Nation's Youth Feel the Primary Impact of the Effect of the Conflict in Vietnam," from the August 10 issue of the New York Times, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NATION'S YOUTH FEEL THE PRIMARY IMPACT OF WAR IN VIETNAM

(NOTE.—*This the third of four articles in which correspondents of The New York Times estimate the impact of the Vietnam war on the American economy, the nation's politics, the lives of its citizens and its foreign policy.*)

(By Joseph A. Loftus)

WASHINGTON, August 9.—"I went to graduate school to get a deferment," the young man acknowledged, apparently unabashed.

The threat of the draft has delayed his career, and the uncertainties of his contrived deferment have confused his choices on marriage and given him the uneasy feeling of being hemmed in.

Convinced that he was expressing the intellectual and moral position of thousands of other young men, he said:

"The war is imposing on them a demand to organize their lives on profane issues. They don't see any connection between Vietnam and American security. If the United States was actually threatened they would fight like hell—I know I would. This war is palpably made by old men. It's harder for Johnson to carry off even than it was for Kennedy."

His remarks, whether or not they reflect the majority's viewpoint, illustrate the primary impact of the war in Vietnam on American life—perhaps the most unusual and most disturbing result of any war in which the nation has participated.

A "small" war whose effect on the economic and material lives of most Americans has been virtually nil, the Vietnam conflict has nevertheless generated an intellectual, moral and ideological upheaval passionately centered among American young people.

For most older Americans, except those with sons and relatives in the fighting, the war may seem no more than headlines and shocking images on the television screen.

Consumer goods are abundant and summer brought vacations as usual—more disrupted by the airline strike than by the war.

Casualty reports remain well below the level of national shock. The Korean War, for example, resulted in seven times as many dead and missing as has Vietnam so far.

Thus, it is partly understandable that a woman barber who was recently asked for her views on the war could reply:

"I don't care what they do about it. They're paid to think about it."

Yes, she said, she had a brother in the Army.

"He was drafted. He likes it."

If the reluctant draftee and the woman deprived of son, husband or fiancé are affected by war's impact, for many people the conflict is not an unmitigated evil. For some it is even a positive gain.

Negroes, for example, are enlisting voluntarily at a rate that exceeds their ratio to the rest of society. More remarkable is the fact that after a first tour of duty, more than 49 per cent of Negro soldiers are re-enlisting, compared with less than 14 per cent of white soldiers.

The Marines report that their Negro reenlistment rate is 40 per cent, compared with 19 per cent for whites.

Obviously, the Negro male achieves in the service some goals not always reachable in his civil environment—a regular job, acceptance of his manhood, and most important, equality.

CAN ESCAPE DECISIONS

The Negro or white youth of limited education, with no career in mind, who may be unsettled even about a manual vocation, can drift into uniform and training camp as if on a tide; the drudgery of decision disappears until he is older and perhaps trained in a suitable craft.

College enrollment is no certain escape from conscription, although many view it as a refuge. Approximately 56 per cent of those deferred for college eventually enter the service, according to Lieut. Gen. Lewis B. Hershey, the Director of the Selective Service System.

The Army sends one out of three of its draftees to Vietnam. As American casualties have mounted and as American infantrymen have been worked increasingly hard in prolonged search-and-clear operations, military service in Vietnam has become ever more dangerous and arduous. Yet most young men who go to Vietnam will never see combat, and many will have a relatively good time at the bars and with the girls of Saigon.

For many American servicemen, Vietnam has always exerted an attraction because of its color and vibrant life. It is also true, according to reports from the field, that many of the troops most frequently in combat are absorbed by their duty and more than a little proud of their conduct. As men have always been, they are fascinated as well as repelled by combat.

OTHER WARS RECALLED

Three other wars in this century engaged the passions of Americans and all but smothered neutralism. All made themselves felt in the everyday lives of most Americans. None produced the burnings of draft cards, the unashamed draft evasions, all-night teach-ins, and critical speeches in churches and colleges. Students, in defiance of accepted manners and conventional logic, have walked out of commencement exercises at which Defense Secretary Robert S. McNamara—who with President Johnson is regarded as the "villain" of the situation—received honorory degrees.

Observers believe objectors are a minority of draft-age males—probably even a minority of the draft-age males in college—but they reflect, nevertheless, a serious disaffection among students and among those who instruct and counsel tthem.

Although it is too much to say that the academic community, or the intellectual community, opposes the war, few issues of modern times have evoked such dissent from national policy by the educated.

It is among college graduates, according to the Louis Harris polling organization, that the President has lost the most support—down from 65 per cent to 45 per cent since January, 1966.

Critics find the Vietnam war repugnant morally, and see no threat to United States security. They see their country interfering in another's domestic social revolution and supporting a corrupt government. They voice doubt of their own Government's assessment of the war and speak with horror of new weaponry and of possible involvement with Communist China in an interminable land war or the accidental explosion of a nuclear holocaust.

MORALE FACTOR CITED

Among those who are simply apathetic, the reasons no doubt include the lack of stirring slogans and effective propaganda opportunities. There is no Tojo or Hitler for the mass mind to focus on, no "Yellow Peril" that would make racial sense in today's world. "Hate Communism" seems to many to be an irrelevant slogan when the Communist powers are divided and the United States relationship with the most formidable of these powers is less belligerent than it once was.

Another reason for the widespread dissent may also be the Administration's difficulty in defining its purposes and goals in the war. To many citizens it seems unclear whether the effort is aimed primarily at protecting South Vietnamese independence, at containing Chinese Communist expansion, at "Policing the world," at coping with the concept of "wars of national liberation," or at maintaining a position of American strength in Southeast Asia and a balance of power in the world—or perhaps all these objectives.

TWO GROUPINGS PERCEIVED

David Riesman, the Harvard social scientist, finds "a tremendous malaise" among draft-exempt students and thinks the labels "campus bum" or "draft evader" not entirely fair.

"The best students—the sensitive, reflective students," he says; "don't like to be exempt from the common lot. They don't enjoy privilege, but they feel this is not just a war. They feel it is a brutalizing war, for us and the enemy."

Lloyd and Suzanne Rudolph, a husband and wife team in the department of government of the University of Chicago, have worked closely with undergraduate and graduate students on the war and draft issues. They perceive at least two broad groupings.

"There is a striking difference from World War II," they say, "when a 4F (disability deferment) was a dreadful, personal disaster for

many idealistic young intellectuals and non-intellectuals. In the present situation, other alternatives to the draft, are eagerly sought.

"For the unactivists the war is not so much wicked as morally and physically very far away. There is entirely unembarrassed discussion of alternatives that would lead away from the draft.

"It's partly that the rather gross racial appeals that were still possible in World War II cannot be used any more. Asia and Africa are too much with us."

"The case is different with the activists," they continued. "To a good number, the notion that there was a series of events which put the United States on the wrong side of morality was persuasive. Some are very angry and bitter. They feel that the society that lets Chicago's 63d Street (a slum street) get that way is the society that is killing self-righteously in Vietnam.

"When we speak of their bitterness and anger, and their willingness to take the consequences of their actions, we don't mean to imply they are fanatics, or ideologues. They are, if anything, the generation of existentialists rather than ideological rebels. It's not so much that they fight for causes as that they believe they must take responsibility. And they appear to feel responsible for a good bit. To allow yourself to be drafted is to take responsibility for Mr. Johnson's foreign policy. One must not cooperate with evil. That's what Eichmann did, and so forth."

Dr. Joseph T. English, a psychiatrist who has interviewed hundreds of Peace Corps volunteers and helped to orient them for foreign service, believes that today's youth want to do something for their country but that "it is going to be infinitely more difficult for us, as our young people become more sophisticated, to make war meaningful."

"They reject violence," he says. "They need to find, as William James said, 'a moral equivalent of war.' Many of them found it in the nonviolent civil rights movement and in the Peace Corps."

Dr. Gene Gordon of Washington, also a psychiatrist and a Peace Corps consultant, takes a less cheerful view of youth.

"What's really gone is hope of Utopia," he says. "I don't think they think anything important is going to happen."

Student dissent from political mores, particularly where Vietnam policy is involved, finds its most vigorous outlet through Students for a Democratic Society, whose spokesman and national secretary now is a woman, Jane Adams. The group contends it has a membership of "a bit over 5,000," spreading inland from concentrations in the eastern third of the nation and the West Coast.

Miss Adams finds students "more aware that the political life of the country is something relevant in their lives." She sees a reaction to the repressiveness of the McCarthy era, a greater awareness of the threat of nuclear war, and great concern with the racial situation.

The National Student Association, made up of student governments rather than individual members, is less activist but nevertheless went on record last fall with the observation that "United States policy has placed excessive attention on the military aspects of the present conflict and has failed to come to terms with its underlying social, political and economic aspects."

RELIGIOUS CONCERN GROWING

Religionists are by no means united on a Vietnam policy, but an active minority opposed to the war is growing in voice and visibility.

Seventy-three Americans attending a world church conference in Geneva recently cabled the President that they were "more keenly aware than ever before of church and world criticism and anguish over United States involvement and escalation of the conflict in Vietnam."

A church journal, Christianity and Crisis, whose publication board consists of leading theologians headed by the Rev. Dr. John C. Bennett, president of Union Theological Seminary of New York, has declared that United States intensification of the war "makes it difficult to be an American."

Conscientious objection is one way of avoiding combat, but the law recognizes only those who "because of religious training and belief" oppose war "in any form." There is no legal recognition of the conscientious objector to a particular war, which he may consider unjust.

Religious and student groups are offering counsel and encouragement to those who want to consider raising this objection. James Forest of the Catholic Peace Fellowship in New York says that "a number of Catholic conscientious objectors come to their position via a stringent application of the just war ethic, most concluding that a just war in the modern world is inconceivable." Roman Catholic participation in the peace movement has "skyrocketed," Mr. Forest says.

Students for a Democratic Society, in its "Guide to Conscientious Objection," says that "C.O.'s," as they are sometimes called, are not cowards or draft-dodgers.

"People who are afraid are frequently the ones who strike out violently," the guide says. "The work C.O.'s do is as vital to a strong and healthy country—and as tough—as what most G.I.'s do."

Superficially, at least, the view of war has changed. No public figure today would dare label Vietnam, or Korea, or any conflict, as John Hay, characterized the Spanish-American War—"a splendid little war."

Authorities in the field, however, are reluctant to say that the change in man's view is fundamental. William James, a famous philosopher who was a pacifist, wrote three score years ago that "our ancestors have bred pugnacity into our bone and marrow, and thousands of years of peace won't breed it out of us."

Prof. Nicholas Hoffman of Harvard, who teaches a course called "War," doubts that people have changed fundamentally but adds:

"There is greater wisdom in the ways of the world, an awareness of the burdens in a nuclear age. My own reading is that there is still a certain tendency to use force as punishment."

PHILOSOPHIC INTENT WEIGHED

In sum, Americans are carrying Vietnam as a minor material burden. Many Americans, excluding draft-age males and their families, remain undisturbed materially and spiritually, but for a large minority it has brought moral, emotional and intellectual conflict. It has stirred consciences to a new examination for the uses of force in an age of terrifying weaponry, and it has made dissent respectable.

## BEHAVIOR OF JOB CORPS VOLUNTEERS

Mr. WILLIAMS of New Jersey. Mr. President, I would like to commend a newspaper in my State, the New Brunswick Daily Home News, and its publisher, Mr. Hugh Boyd, for their forbearance and moderation in the face of difficulties created in the New Brunswick area by Job Corps volunteers on leave from the adjacent Camp Kilmer Job Corps Center.

This lonely stretch of World War II barracks has become a battleground for one of the most crucial engagements in the administration's $20 billion war on poverty. At stake is the question of how the Nation's impoverished and disadvantaged youths can be saved from what was previously considered an unbreakable cycle of poverty, crime, and hopelessness.

If a real solution is to be found to the problems of these young men seeking a last chance to join society, it will have to be found with the help of the communities which are closest to these camps. Here is where the Job Corps volunteers are on display. And it is here where the boys are apt to get into difficulty.

The fact is that according to an FBI report completed in February 1966, the arrest rate for Job Corps enrollees is 14 percent lower than the national average for the age group, and if arrests for use and possession of alcoholic beverages are excluded, the arrest rate is 73 percent below the national average.

The New Brunswick Home News is to be praised for recognizing the relatively minor nature of these offenses, and while not excusing them, the Home News through its editorials has brought the matter into perspective for the community.

It seems to me that unless there are powerful voices speaking up for tolerance toward these young men, a community tends to react more strongly against minor infractions caused by Job Corps volunteers than they otherwise would if these acts were done by residents of the community.

In addition to making the residents aware of the realities of the situation, the New Brunswick Home News has put forward constructive suggestions to help curb problems created by this sudden influx of young strangers to the community. In an editorial on May 25, 1966, the Home News suggested that the Job Corps administration could assign personnel to work downtown with city police, much like the military police who did such a fine job at Camp Kilmer in World War II. This would curtail the growing number of minor offenses before the hot summer weather arrived with its influx of Job Corps men seeking recreation.

The Job Corps administration is to be praised for recognizing interested, helpful criticism. The suggestion was adopted and in spite of the growing number of Job Corps men seeking recreation in New Brunswick, the situation has been kept well in hand by city police and Job Corps personnel working as a team.

Both New Brunswick and Camp Kilmer have benefited from this cooperation. And the teamwork has paid other dividends besides reducing the arrest rate. Links have been established between the community and the camp. In time, these links can be widened and a highway of communication and understanding between the two can be established. This would have been impossible in an atmosphere of continuing intolerance and suspicion.

The New Brunswick Home News has met the highest standard of journalism by serving as the middleman between these two potentially antagonistic factions.

Acting as the voice and the conscience of the community, the New Brunswick Daily Home News has reminded its read-

ers of the problems these culturally disadvantaged youngsters face. It has also reminded the Job Corps that cooperation is a two-way street. Both sides have accepted this very sound advice and today are working hand in hand to meet a common problem. This is how the war on poverty should, and can, be waged.

I ask unanimous consent to insert two editorials from the New Brunswick Daily Home News into the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New Brunswick (N.J.) Daily Home News, May 25, 1966]

MORE POLICING FOR JOB CORPS

With the coming of milder weather, there seems to be a rising tide of minor offenses against the public order in downtown New Brunswick by members of the Job Corps from Camp Kilmer.

It is, of course, natural for the Corpsmen to gravitate to New Brunswick on their time off. In seeking recreation, it is probably natural, too, for some youngsters to try to do some drinking. And the natural answer is, of course, trouble.

These minor offenders create a policing problem, and Patrolman John Drury has been doing a good job in enforcing the law and bringing to court the more recalcitrant. Much as the city sympathizes with these disadvantaged youngsters, the city's law and order can not be subordinated to their inclinations.

When Camp Kilmer was an Army post, we had similar and more serious problems. But at that time we had Military Police from Camp Kilmer to help our policing job.

It seems to us that the present situation could be eased—it really has to be eased, else it will be aggravated when the hot summer weather arrives—if the Job Corps administration could assign personnel to work downtown with city police, particularly on weekends when the concentration of Job Corpsmen seeking recreation burgeons.

New Brunswick wants to cooperate fully with the Job Corps program, but cooperation has to be a two-way street.

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[From the New Brunswick (N.J.) Daily Home News, July 20, 1966]

WILLIE MAYS NAMES HEROES

Over the long years the United Auto Workers has been an unusual union in that it has looked and acted beyond the needs and aspirations of its own members towards the needs and aspirations of the underdog beyond the union membership.

The UAW, for instance, in addition to encouraging Negro membership in its own ranks, has promoted integration and brotherhood on a broad scale beyond its membership.

In its very fine newspaper, "UAW Solidarity," there are often to be found illuminating articles on avoiding consumer frauds, on Social Security, on medicare, on health matters, on social problems.

In the July issue of UAW Solidarity there is an excellent exclusive article on Willie Mays and the Job Corps.

Last winter and spring Mays devoted much of his time talking to hundreds of Job Corpsmen who have carried his message along to untold numbers of their fellow corpsmen.

Sitting down with one small group of corpsmen, Mays heard one youngster get up and rant about the roadblocks that were thrown in his way in his attempt to become a minister. He was sputtering and almost exploding when Mays held up his hand and said, "Cool it, baby, I'm on your side."

The youngster quieted down and Willie said, "If you want to be a minister, you can be. Don't let anybody stop you. I never listened to anybody who told me I couldn't do something. If you do, you're defeated right away."

Mays added, "When I was 19—that's about how old you are now—I went zero for 24 with the Birmingham Giants. That was my first 24 times at bat, too. If I had listened to all the poor mouths who were giving me advice, I'd have quit baseball right then."

"It takes a great deal of hardship to be a minister and you have to keep trying. But if you want to be one, you'll keep on trying and you'll fight and overcome."

Cool it, baby. I went zero for 24. That's the kind of talk the youngsters listen to, and they can feel with Willie, because he made it the hard way as a child in Alabama.

One can almost see the boys taking Willie's advice to heart. One youngster said he wanted to be a great athlete like Willie. Willie snapped back, "That's what you say. But you're smoking and you know you can't do that and be an athlete."

The UAW Solidarity article reminds us, too, that the job corpsmen need a lot of understanding.

An analysis of the first 10,000 enrollees accepted is enlightening, and it must be remembered that to get the project off to a good start, the first 10,000 may have been less disadvantaged than later members.

With a 17-year average age, most of the first 10,000 were more like 13-year-olds in size. Most had never slept between sheets, never shared a room with only one other. Some never had had electric lights. Nearly two-thirds lived in substandard housing. More than 60 per cent came from families in which the primary wage earner was unemployed.

The average corpsman had never completed ninth grade and could read no better than a fifth grader. Fewer than one in 10 had ever held a job.

We'll let Willie Mays close this editorial:

"Kids today are no different than they were when I was a boy. They see television and they've got a right to dream. I was the biggest dreamer on our block. Then, when you're out of school a few years and you find you're drifting just like a lot of the older people, that's the time a kid says to himself: I gotta get out of this. Out!

"When a kid gets to that age—like these kids—when they say they gotta get out, that's when society has to let them in. This Job Corps is going to save these boys. They're going to make it. Without this chance, they were dead.

"These kids are my heroes."

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## PREMIER KY AND AMERICAN INVOLVEMENT IN SOUTHEAST ASIA

Mr. CHURCH. Mr. President, the August 1 issue of the Washington Evening Star contained two thoughtful appraisals of Premier Nguyen Cao Ky's recent statements on the war in Vietnam. Because of the timeliness of these articles, entitled "Premier Ky Hits a Sensitive Nerve," written by Clayton Fritchey, and "Red China Riddle: Why Not Let It Grow Up?" written by Charles Bartlett, I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

PREMIER KY HITS A SENSITIVE NERVE

(By Clayton Fritchey)

Everybody, it seems, is now jumping on Premier Ky—publicly in Congress, privately in the administration—for spilling the beans on what a victory in Viet Nam is finally going to cost the United States. It hardly seems fair.

After all, the premier, like most generals, is a simple fellow politically, and all he has done is blurt out what seems to him to be the obvious truth about the situation in Viet Nam.

It may be embarrassing to the Johnson administration, and perhaps Ky should have consulted his Washington patrons before letting the cat out of the bag, but the American people at least owe him a debt of gratitude for telling them what they can't learn from their own government, mainly, the price of "victory" (whatever that is).

In recent weeks, the President has repeatedly assured the public that the United States is going to fight to the finish, that we are going to win, and that "success will be ours in Viet Nam."

It is a disturbing fact, however, that it has been impossible to wring from the President or any other administration spokesman just what is meant by "success," or just what American citizens are going to have to pay in the way of men and money to achieve it.

The favored thought has been, just leave it to Lyndon and all will be well. Skeptics are shushed by claims of battle successes in the field, and the assurance that the enemy can't take it much longer, especially the accelerated bombing.

But U.S. success stories do not seem to have spoiled Premier Ky, who is also an air marshal and thinks he knows something about war, particularly in Viet Nam where he has been fighting for so many years.

The premier already knows what Americans are soon going to learn, and that is that the air attacks on the Hanoi-Haiphong area are not producing results as predicted. They are not materially slowing down the enemy or breaking his morale. On the contrary, he is fighting harder than ever, as our own Marines can testify.

In fairness to Marshal Ky, it should be remembered that he has obligations to his own country as well as to ours. Apparently, he feels that the South Vietnamese should understand the realities of the present situation.

As Ky sees it, the United States must launch an all-out invasion of North Viet Nam to win the war. He can see that this would probably mean war with China, but he thinks "it's better to face them right now" rather than later.

The alternative to "destroying the Communists in their lair," he says, is for the United States to go on fighting a guerrilla war "for 5 to 10 years." He frankly doubts that the United States has the "patience" for this.

This is a shrewd appraisal, for Ky recognizes that U.S. public support for the war is already shaky. It has been momentarily bolstered by hopes that the stepped-up bombing might be effective, but when these hopes are dashed there will probably be another sag in the public opinion polls. What then?

The war already is costing us over $2 billion a month. American casualties often exceed the South Vietnamese. Over 5 to 10 years, the cost would be $100 billion to $250 billion with casualities constantly mounting.

It is no wonder that Ky feels that Americans would not support such a prolonged stalemate. From his point of view, he is right in promoting and all-out attack. Even if it triggers a world war, what has he to lose? He knows that if the United States ever makes peace with North Viet Nam, it is the end for him and his fellow generals.

The State Department has declined direct comment. A spokesman merely repeated that the United States "does not seek any wider war," which is undoubtedly true, at least at the moment. But what will the President do when pressure mounts again for breaking the stalemate?

Nobody knows, probably including the President himself.

RED CHINA RIDDLE: WHY NOT LET IT GROW UP?

(By Charles Bartlett)

Premier Ky and the U.S. Senate have injected practical and immediate considerations into the controversy on what should be done about Red China.

Ky's assertion that this is the time to deal with the Chinese Communists is a strident echo of President Kennedy's private expressions that the great decision of this decade would be whether or not to halt Red China's growth as a world menace by pre-emptive attack.

This question has been laid aside since Lyndon Johnson became president and American forces became involved in Viet Nam. Washington's great aim now is to avoid conflict with the Chinese and many strategies, including the invasion of North Viet Nam, have been subordinated to this objective. Even Air Force commanders no longer find time to urge bombing raids on mainland China.

Ky's proposal is motivated by a deepening awareness that Ho Chi Minh will probably not be permitted by Peking to give the orders that will end the guerrilla war. Washington recognizes this probability and is concentrating as a consequence upon making life so hard for the guerrillas themselves that they will eventually stop fighting without orders from Hanoi.

But Ky is in a cocky frame of mind. His military move against the Buddhists succeeded despite almost unanimous warnings from American officials that it was a foolhardy step. He faces elections and he needs to demonstrate that he is not a puppet. He obviously hopes to rally support by stirring the nationalistic hatred of his people toward the Chinese.

The tin-horn militancy of Ky's recent interviews stands in weak contrast to the composure with which Ho Chi Minh last week rejected the offer by the Soviet Union and East European states to send volunteers. Ho is also afraid of the Red Chinese and he doesn't want to antagonize them by playing host to Soviet volunteers. So he rallies his people by telling them they are going to win the war with their own hands and with the "climate, snakes and mosquitoes" as their allies.

If Ho, who knows the Chinese well, doesn't trust them in their present mood and if the Russians, who also know them, find them irrationally dogmatic, why should the United States get involved with them? The Communists estimate that the Viet Cong and their families number only 800,000 of South Viet Nam's 17 million population. No major figure in the Johnson administration is attracted by the folly of tackling 800 million Chinese to suppress a rebellion of 800,000 Vietnamese.

The Senate reflected this nation's irresolution toward Red China in its vote to censure the consortium of European nations which plans to build a steel rolling mill in China. A majority of 56 senators voted for the censure and implicity for the thesis that a thin and hungry Chinese is less dangerous than a fat one.

The moderately fattened Russian is turning out to be a better world citizen than his ragged, revolutionary predecessor and the evolution of Communist doctrine into a pragmatic quest for a steadily rising standard of living is now regarded by most experts as a stabilizing factor in world affairs.

Certainly Red China's present adversities bring no assurances of peace. The desperate search for food, actually causing Chinese agents to compete with Russians in the Canadian and Australian markets, cannot render the government more stable. The decision to educate fewer students in Chinese universities, because the economy does not provide jobs for an expanding number of graduates, will delay the emergence of the professional class which now exerts a constructive authority in Moscow.

Experts of the Defense and State Departments have just sent to the White House an exhaustive study of the future that lies ahead for Red China. The short-term view is uncertain. No one can really predict how a government so beset by afflictions will react. But the long-term view follows the Soviet pattern—at some point the Chinese commissars will drop their visions of dominating the planet and turn to the real and pressing challenges of development at home.

The turn to maturity may come more swiftly in China than it did in the Soviet Union, where Joseph Stalin prolonged the revolutionary illusions. Containment, as in Russia's case, is apt to be a more maturing influence than the aggression envisioned by Ky or the deprivation sought by the Senate majority.

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## ADDRESS OF SENATOR KENNEDY OF MASSACHUSETTS, TO THE ANNUAL CONVENTION OF THE SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE, JACKSON, MISS.

Mr. HART. Mr. President, I ask unanimous consent that the address of Senator KENNEDY of Massachusetts, to the annual convention of Southern Christian Leadership Conference, Jackson, Miss., August 8, 1966, be inserted at this point in the RECORD. It is a stirring and challenging message which merits widespread attention.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR EDWARD M. KENNEDY TO THE ANNUAL CONVENTION OF THE SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE, JACKSON, MISS., AUGUST 8, 1966

I come here tonight as a young man, with the hope of the young that today's crisis can become tomorrow's opportunity. Much of your success is due to the young people who have worked in your movement.

I am proud to appear before this organization. For ten years, you have been in the forefront of the most important domestic issue of our time. You have been jailed and bombed, beaten and stoned. But you have persevered. Your work has given Negro men and women a new sense of dignity and self-respect. Your courage under fire has kindled the conscience of the white people of this country. Over the noise of battle, clearer than the cries of extremists on both sides, we have heard your simple message of non-violence, telling us that evil can be overcome with good; that hate can yield to love; and that it is better to suffer in dignity than to accept segregation in silence.

Your leader, Martin Luther King, has made his mark upon the world as a great spiritual leader who has also led the forces of social justice. His tradition is worthy of his teachers, Gandhi and Thoreau. I know the great respect that President Kennedy had for Dr. King. I am honored to share the platform with him today.

And I am proud to come to Mississippi, a state whose men have always answered bravely and patriotically the call to the colors; a state with a past full of glory and tragedy; a present full of struggle and change; a future bright with hope and promise.

This is a state with unlimited potential. From the rockets and shipyards on the Gulf to new industries in the north. Mississippi is gathering force for an advance which could, using the full energies of all its citizens, bring a greater day than it has ever known.

I come from a state with a proud tradition of leadership in the field of human rights. It was a citizen of Massachusetts who was the first to urge the use of nonviolence in the cause of civil rights. His name was William Lloyd Garrison, and his statue stands in Boston today. In 1831, he wrote: "The history of mankind is crowded with evidence that physical coercion is not adapted to moral regeneration; that sin can be subdued only by love; and that the violent who resort to the sword are destined to perish with the sword."

My state, as the other states in the North, has very difficult problems in the field of civil rights. I cannot come here to Mississippi and say that our hands are clean. We have done too little. We started quite late. The Negro in Boston, to our shame, goes to a segregated school, holds an inferior job, and lives in one of the worst parts of the city. Progress has been made, some important programs just in recent days, but we have a long way to go. So I am delighted that this organization is extending its work to the cities of the North. We need your help up there too.

Twenty years ago, segregation was a fact of life in America, accepted by both races. The Capital city of our country was totally segregated, in law and in fact.

Twenty years ago, the U.S. Congress could not even outlaw lynching. A distinguished Senator, Frank Graham, was turned out of office because he signed a report saying that Negroes should have an equal chance in jobs.

But then came the Supreme Court decisions. And the sit-ins, and the freedom rides, and your own bus boycott in Montgomery, touching off a movement that has brought about, in my opinion, the most important change in America in the last 20 years.

Since 1959, Congress has passed three civil rights bills, and this year will pass a fourth. The walls of segregation have come down in many places, partly through government, but largely through the private efforts of groups like yours. Over two million Negroes have registered to vote throughout the South, one hundred twenty thousand in Mississippi in the last year alone. The caste system in politics is through. Next year, in this state, in every election, men and women, white and black, will have a chance to have a voice. I think this will make a difference.

But in a larger sense, how far have we come as a nation?

After all the decisions of all of the courts, how many Negro children really attend integrated schools? In the South, less than 3 per cent.

After all of the programs that Congress has passed, how much has the life of the average Negro really changed? Not very much.

What good is a desegregated motel if you can't afford to stay there?

What use is the right to vote if you risk your job and even your life in order to vote?

Can a Negro soldier, drafted to fight for the freedom of the people of Vietnam, come back to his own country and enjoy full freedom and opportunity as an American citizen? I don't think he can. And that is the shame and the challenge of American life in 1966.

The rate of Negro unemployment is more than twice that of white—and the gap has increased in the past year. Even when the Negro finds a job, it tends to be in menial occupations with extremely limited opportunities for advancement.

The proportion of Negroes living in substandard housing is almost three times that of whites, and that proportion is growing. The Negro continues to be segregated in the great urban ghettoes, and that segregation is increasing. Negroes today in the cities of the North live their daily lives farther

separated from white America than the rural Southern Negro ever was.

I find this country dividing more and more into separate societies, of the rich and poor, the white and the black, the complacent and the despairing; where the whites have jobs and the blacks have unemployment; where the whites live in suburbs and the Negroes in ghettos. Where each looks at the other with growing mistrust as the vise of apartness tightens.

This situation is wrong—morally, socially, economically wrong. It saps our strength. It offends our deepest traditions. It sows the seed of insurrection and riot.

I cannot think of a more dangerous future for America than the future we face if we let this situation develop as it has.

This situation has been aggravated in recent months by the desire of some Negro leaders to pull apart from the white men who have been assisting them. Now I can fully understand the feelings behind this. For one hundred years since the end of slavery you have collaborated with white men and many Negroes have little to show for it. But the fact is that the greatest gains in civil rights have come when black and white have worked together. The very basis of integration is working together with white people. If you cast them off—if you isolate yourselves—you will be strengthening the bonds of the whole system of segregation. You will be crippling your own effectiveness in what is basically not a white or a Negro cause, but an American cause. Dr. King put it well when he said: "The Negro's destiny is tied to the white man's destiny. The Negro's freedom is bound to the white man's freedom. We cannot walk alone."

I would add that just as the path of separateness is a self-defeating path, the path of violence is a dangerous path. You can reason with the white man, and pressure him and even shame him—but you cannot scare him. Dr. King once said that the civil rights movement owes as much to Bull Conner as it does to Abraham Lincoln. And I say to you that your cause is immeasurably hurt every time a young Negro throws a Molotov cocktail or a sniper fires on police from the roof of a ghetto.

I would be less than frank with you if I did not admit a growing feeling of concern about the "white backlash" in our country. A Negro leader in New York last week said he had never been so fearful about the future of race relations in our country as he is now, because a terrifying white backlash has set in and the Negro still has gained so little.

Let those who preach violence or the dishonoring of our individual obligations to our country or the destruction of Western civilization realize what ammunition they are giving the enemies of reason and justice.

But I would say just as strongly to the white man that you can no longer expect to keep the Negro "in his place." The only place for him is a position of full equality as an American citizen. If you think the Negro is pushing too fast, you are wrong. You cannot expect a man to go slow in obtaining what should have been a part of his birthright.

Seventy years ago a man named William Jennings Bryan spoke for the impoverished white man of the South and Midwest. What he said in his "Cross of Gold" speech expresses what many Negroes understandably feel today: "We have petitioned and our petitions have been scorned. We have entreated and our entreaties have been disregarded. We have begged and they have mocked when our calamity came. We beg no longer. We entreat no more. We petition no more. We defy them."

So I say to the white man: You are not going to solve this problem with riot guns and billy clubs. The police and public officials cannot do the job alone. You cannot protect your communities against violence if you are unwilling to act against the conditions that breed violence. And you can no more justify violence and lawlessness in Cleveland and Chicago with the slogan of "White Power" than the Negro can with "Black Power."

My own Irish forebears were discriminated against just as fiercely in the last century as the Negroes are today. As an American proud of my country, I know that much of its strength is drawn from the contributions minorities have made as they have been given opportunities. I know that America will prosper best if we white men open wide the doors of opportunity to you.

If we can prosecute the War on Poverty, it will help white people as well as black.

If we can train more men for jobs, and end discrimination in jobs, it will increase the wealth of all.

If we can eliminate the slums and improve the schools of Chicago and Cleveland and Boston, it will make them better cities for everyone who lives there.

We need a program of action which can help bridge the gap in opportunity—and we need it now. Of course, we should continue to press for full legal rights for all citizens—the right to vote unintimidated; the right to be effectively protected from violence; the right to equal justice, free from jury discrimination; the right to go to school and live in a home free from arbitrary segregation. But in addition we need a massive commitment of national resources to the upgrading of Negro life in America.

We need community projects that can be done this summer and this fall: Construction of swimming pools and recreational parks in the ghettoes; installation of sprinklers for children in hot weather; better garbage collections and block clean-up campaigns; typing classes, and athletic instruction. Through these projects we can show young people that their communities do care about them—that there is hope for improvement, and that there are more creative outlets for their young energies than violence and disorder.

But we need more than these stop gap measures. There must be no less than a major up-grading of our schools and our cities, and of the housing and job opportunities for Negro Americans. Many of the programs to accomplish these objectives already exist.

What we must do now is determine to spend the money necessary to make these programs work. We must expand, not cut back, on our commitment to the War on Poverty. We must expand not cut back on our programs to equalize and upgrade education and, most important of all, we must expand not cut back on our programs to revitalize the ghetto and provide decent housing for all Americans.

I consider the segregation of our urban ghettoes the basic cause of the racial crisis that will continue to plague us. For as long as the Negro is isolated from white Americans and denied mobility and access to decent housing, his children will go to segregated schools of inferior quality, he will pay more for the inferior housing to which he does have access and he will be cut off from the power structures of government—unable to communicate or participate in the white society that surrounds him.

The expansion of these programs will cost a great deal of money; but we can afford it. We have the resources many times over. The only thing we may lack is the will. We are spending two billion dollars a month to defend the freedom of 14 million people in South Vietnam. Why shouldn't we make the same kind of effort for the 20 million people of the Negro race right here in America, whose freedom and future is also at stake?

The time has come to stop the talk and begin the action.

Let us stop talking about the need for young educated Negro leaders and make sure that every American who has the will and intellectual capacity has a chance to go to college.

Let us stop counting the slums and start tearing them down—followed by the greatest construction program in our history.

Let us stop deploring unemployment and create the jobs that will beautify our country and make our cities better places to live.

Let us desegregate our schools, but let us spare no effort to be sure that our children in school today have the educational opportunity to give their lives meaning and hope.

All these things should be done not just because they will stop the riots—although they will; not just because they will strengthen our economy—although they will. These things should be done because they are right and decent and the moral things to do.

So let men of both colors complete the agenda of freedom—together.

Let us together work so that a James Meredith can walk down the highway here in Mississippi free from the threat of violence.

Let us together wipe out the immoral system of jury discrimination so that the men who kill for hate will pay the price of their crime. So the men who killed those four little girls in the 16th Street Baptist Church in Birmingham will be brought to justice.

Let us together work for the day when children of both races, in whose young hearts prejudice does not exist, can go to school together.

Let us together create open cities, free of slums, in every part of America—cities where men can reach new heights of civilization and people can live where they wish.

And let us keep working together until the last remnant of poverty, the last barrier to prosperity, the last obstacle to equal opportunity is gone from American life.

President Kennedy was the first President of the United States to state publicly that segregation was morally wrong. If his life and death had a meaning, if the life and death of Reverend Reeb and Medgar Evers and Jimmy Lee Jackson had a meaning, it was that we should not hate but love one another; we should use what power we have not to create conditions of oppression that lead to violence, but conditions of freedom and opportunity that lead to peace.

No one denies the difficulties of your tasks.

No one can forget your courage and determination.

No one can blur your vision and your dream.

It is the vision of Americans and the dream of justice and opportunity for all of us.

Let us work together to make that dream reality, realizing that the greatness of our country depends on our success.

## PEOPLE-TO-PEOPLE ACTIONS UNDERTAKEN BY TEXANS

Mr. TOWER. Mr. President, Texans have many things to be proud of. But the folks around Denton have the added privilege of being proud—and fond—of Wick Fowler.

Wick is a retired Dallas newspaperman who has been covering the Vietnam war recently for the Denton Record-Chronicle. While there, he hit upon the idea of friendship kits to be sent from the United States to the marines in Vietnam to assist them in their civic action programs and efforts. The kits contain items such as pencil sharpeners, rulers, chewing gum, candy, and so forth.

The Denton Record-Chronicle recently carried several articles describing Wick's idea and how it was received by the Vietnamese.

Mr. President, I ask that these articles be printed in the RECORD at this point so that other Senators may read for themselves of the people-to-people actions being undertaken by Texans who are concerned about international good will.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

TO VIETNAM: FOWLER RETURNS—IN SPIRIT

DA NANG, VIET NAM.—Wick Fowler—one of the biggest Texans of all—has returned to Viet Nam. In spirit, that is.

But Fowler in spirit is bigger than many men in their entirety.

Fowler, in person (who is huge enough without even considering the spirit!), came to Viet Nam last December as a special combat correspondent for the Denton Record-Chronicle.

A retired Dallas newspaperman, he was a combat correspondent in World War II in Europe and the Pacific.

Upon his arrival in Da Nang, headquarters of the III Marine Amphibious Force, Fowler immediately endeared himself to the Marines as well as to members of the civilian press corps.

He reported the war, as combat correspondents are supposed to do. But more than that, he was an entertainer.

There grew a saying that the only thing wider than Wick's ample girth was his even wider repertoire of homespun tales and jokes.

And Wick fired them at the Marines just as they fired their rifles and machineguns at the enemy—rapidly, effectively, and on the target.

There was a rumor that a Marine troop-carrying helicopter, which usually carries seven gear-laden Leathernecks into battle, couldn't get off the ground once Wick entered it—alone!

The rumor was never verified. But there is proof that a C130 cargo plane, with Wick aboard, did manage to stay airborne all the way on a flight from Da Nang to Saigon.

His fellow passengers testified to that—with great sighs of relief.

On another occasion, Wick boarded a Navy troop-carrying ship prior to Operation Double Eagle, which was to be the largest Marine amphibious assault on enemy territory since the historic landing at Inchon, Korea, in 1951.

The morning of the landing loomed dark, dismal and rainy. The sea buffeted the huge Navy vessel as sailors began lowering landing craft over the side.

Then the netting was tossed over the rails on either side of the ship, and Marines began scrambling down the nets toward the landing craft, bobbing and plummeting in the wild sea.

Wick had every intention of following the Marines. He was prepared to go over. But a cautious Marine company commander prohibited him from doing so.

Some onlookers thought it was because, well, because the Marine officer was concerned about Wick's safety (much to the rotund writer's chagrin.) Such a large man, and certainly not nearly as young and agile as the Marines.

But others wondered if it wasn't because the Marine officer was worried that Wick would take up more space in a landing craft than a squad of Marines!

Anyway, that was Wick Fowler and he did eventually get ashore on the operation.

Wick left for home late last February. He took with him two vivid pictures:

One, the picture of young Marines at war, with verve and with valor charging smack into the enemy, mixing with the enemy, defeating the enemy. (Wick talked so much about the Marines on his return that his son up and joined the Marine Corps!)

Two, the picture of these same young Americans, in the wake of battle, pouring their hearts and their energies and their resources into helping the Vietnamese people.

Wick vowed he wouldn't forget these two pictures. On his return to Texas, he launched himself on the lecture circuit, rallying support for America's fighting men and their efforts to assist the Vietnamese.

But he went further than that. He called on Governor John Connally of Texas, explaining to him about the Marine Corps' civic action program. Wick also spoke to officers of the Texas Air National Guard.

And a new drive was under way, a drive to raise friendship kits to send to the Marines in Viet Nam to assist in their pacification efforts.

Just recently an Air Guard plane touched down at the Da Nang Air Base. It was laden with friendship kits.

The kits, made of plastic mesh, contained items such as pencil sharpeners, rulers, needles, thread, soap, chewing gum, candy and cigarettes.

Each kit bore a message—in English and Vietnamese—which read:

"This friendship kit has been assembled by Texans, under sponsorship of the Texas Guard, as a message of our support of the cause of freedom for the people of South Vietnam. John Connally, governor of Texas."

And that's how the spirit of Wick Fowler returned to aid the Marines in Viet Nam—in the form of little friendship kits which will help a bit to brighten the lives of people in this long-suffering land.

It was a nice gesture, a typically big Texas gesture.

But then, Texas is a big state. And Wick Fowler is a big man.

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KITS HELP SOOTHE FEELINGS—DURING SEARCH FOR CONG

DA NANG, VIET NAM.—"Friendship kits" from Texas were used to soothe hurt feelings today when a South Vietnamese hamlet was searched for evidence of Viet Cong sympathizers.

The treats were handed out to Vietnamese children and adults at a "county fair" operation in a tiny village about 10 miles northeast of Da Nang.

Such operations are routinely carried out in hamlets of South Viet Nam where the loyalty of residents to the government is questionable. Local militiamen, backed by U.S. marines, moved the villagers out of their homes for interrogation and a methodical search of the houses.

While the village men were being questioned to determine if any residents were Communist sympathizers and to learn if there had been any Communist troops in the area recently, the women were given canned fish, rice, cooking pots and stoves to prepare a community lunch. The activity is designed to make the search for Communists more like a picnic or county fair than a military operation.

Lt. Glenn Wapp of Riverside, Calif., who was running the show, said "the Leathernecks tried to cook the rice but the villagers didn't like that."

"They wanted to do it themselves," he said.

After lunch, the "friendship kits" were passed out causing a mad scramble among the village youngsters. The kits included candy, toothpaste, tooth brushes, pencils and balloons. Imitation Indian headbands—complete with feathers—were slipped into some kits.

Most bags contained packets of cigarettes, but some youngsters didn't resist the temptation to light up. The villagers were also shown movies and given medical treatment.

The "Friendship Kits" were the innovation of the Denton Record-Chronicle's Viet Nam war correspondent, Wick Fowler.

When he returned to Texas after three months of war reporting, he designed the kits and enlisted the aid of Gov. John Connally. Meantime, the Marines in Viet Nam agreed to distribute the kits as a test of their value in the Marines' civil action operations.

Two thousand kits, each containing a greeting from the governor, were sent to Viet Nam by the Texas Guard, a civilian group, in cooperation with the Texas National Guard. From California, the kits were flown across the Pacific by the California National Guard.

The kits included 1,000 drawings by school children of Denton.

Wapp, a marine platoon leader who had been wounded three times in eight months, was assigned to the civil affairs program five days ago.

"I've got six kids at home and I like being with kids," Wapp said. "This gives me a great opportunity to do that."

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## A TOURIST'S VIEW OF VIETNAM "WAR"

Mr. FULBRIGHT. Mr. President, one of the greatest problems we have when we come to consider great foreign policy questions such as foreign aid or Vietnam is our inability to recognize the extent to which the objectivity of our judgment is impaired by our own image of ourselves. From time to time I have tried, not with any great success I fear, to call attention to this failing of ours.

Some of the clearest pictures which have been drawn of the American people and character have been those of foreign observers. In this connection one thinks immediately of distinguished names such as those of Alexis de Tocqueville or Bryce. A friend of mine in Arkansas, however, recently sent me an article of this nature written by a rather obscure—at least to me—observer appearing in a Philippine newspaper which could not have been expected to attract notice in this country. With due apology to the author, its style may appear not altogether that to which we are accustomed, but I suggest, Mr. President, that its content is well worth considering. While I would not entirely go along with everything in the article—for example the inference that the President has a low regard for human life—the author presents an interesting view of ourselves as others see us.

I ask unanimous consent that this article, entitled "A Tourist's View of the Vietnam 'War'," written by Cecile Afable in the Baguio, Philippines, Midland Courier be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A TOURIST'S VIEW OF VIETNAM WAR

(By Cecile Afable)

*Advisers—a new breed of Americans,* product of 20th century colonialism. Installed in air-conditioned sanctuaries, they are paid to think and hence to give "advice". This is taken very seriously by the American officials especially the civilians. The Americans in Vietnam are supposed to be only just "adviser", an excuse to make the American presence palatable to the world and to the American people. It is also a concession to their feeling and the Americans have a complementary need to believe and practice it. It provides the only excuse for their presence in Vietnam. At the same time it is the only way by which they can deny themselves the

responsibility of what is happening around them, a way of shielding themselves from the ugliness of what is going on. In simple terms, it is a moral anesthetic.

These advisers say: "We are here to help the Vietnamese help themselves". That is exactly what they are doing—helping themselves. This advisory capacity is a gimmick invented by America to find a reason to intervene in developing countries. They come in all guises; "experts" under certain foundations or missions.

*Why America will not withdraw.* The Americans are committed to protect the South Vietnamese, it is a moral commitment. And if they should withdraw now a blood bath will ensue once the National Liberation Front gains control. Yet what is happening now is a thorough blood bath without end. Maybe if the Americans will leave there will be a bloodbath with an end, but right now there is no end to it. It is better to have an end with misery than to have misery without end.

*Why are the refugees crowding Government centers?* I visited Mai Tam in one of the centers and she said: "Bombings, it is the bombings and fighting on both sides, that drive them to our centers." The refugees are told to say that they were fleeing from VC terrorism and that they want a happy life under the Government in Saigon.

*The new type of American soldiers in Vietnam.* The majority of them are new types of dissenters, whose life has been disturbed when there is no immediate danger to it—has been ordered to go and fight in a distant war where the people are not even interested to fight for themselves. He thinks the war is "not worth a single American life, even a Vietnamese life." He has a high regard for human life and he hates to needlessly kill for the view of a few people like President Johnson and his advisers. He wants his country to pull out because, "I do not think communist control of South Vietnam will concern me in my life time."

Another type of soldier is the angry one. He wants to "bomb the ——" out of the villages and hamlets and let them get it. These are the most dangerous ones for they do it once in a while for fun and they might really do it more and more.

Another group are the professional army men who must have wars to direct and fight for they are useless in a peaceful country. To them must be victory at any cost.

Then there are the bitter draftees who are drafted because "they cannot afford to go to college". If they were in college they will not be there since they would have been exempted. One of them said, "I do not believe that communist control of Vietnam is a threat to ourselves. The commitment to Vietnam is all out of proportion to the importance of Vietnam." Another who was sounding like Lippmann said, "If we start here we will be doing the same thing all over the world."

The bitterest, anti-ideologists said, "The people here have been fighting a guerilla war for 20 years, I don't know anything about that kind of warfare. Must I die in it?"

*An Igorot,* (not Lamen) *looks at the war.* The Americans express the belief that their fighting in Vietnam is to oppose Communist China because this is the "expert" opinion of American experts. Yet they cannot prove that the National Liberation Front is Chinese beyond Hanoi. And to fight the Chinese through Vietnam gives it a stint of insanity. For here the death of the Vietnamese is unrelated to their lives. Do the Americans have to kill all the Vietnamese to stop the Chinese from threatening them? Then the Americans are involved in killing people to show other people to stop threatening them. Or do the Americans want to show the Chinese to stop threatening the Vietnamese, whom they are killing anyway? Then the Chinese threat obscures in advance the nature of the enemy. Shucks.

Who really is the enemy of the Americans in Vietnam? What does this enemy want? Why do the Americans always fail to recognize nationalism and its human aspirations? Not recognizing it they destroy it. By opposing it as is happening in this country, they drive it to self-defeating dependence upon major communists powers. Nationalism is a taboo subject in Vietnam.

*The Vietnam soldier's part in this war.* They are undisciplined, they are lazy and they smoke and chat too much while on patrol duty according to their American counterparts. Their disinterestedness is shocking and they are consistent deserters. Then they are said to create situations in order to increase American involvement in the war. "They would rather join bicycle races than help us fight their war," said one soldier, who also suspected that the Vietnamese is more interested in making a "fast buck than anything else."

*Medicine man America.* To an Igorot like me, America is a medicine man who is out to exercise the "forces of evil" from a people who refuse to give it up. That their processes of divination is cruder than that of my Igorot "Mumbonong" (priestess). Take their "domino theory" as an example, a clear thinking American cannot believe this and there are many more of them than their opposites. Where did the American policy makers get the idea that if Vietnam falls to Communist control, the whole of Southeast Asia will be swallowed?

If America wants to play medicine man to the entire world they should start learning more subtle techniques in divination and more gentler methods of exercising "forces of evils." This is only proper for their present role as the greatest, richest and most advanced nation in the world.

## A MASSIVE PROGRAM

Mr. KENNEDY of Massachusetts. Mr. President, on Monday I delivered a speech in Jackson, Miss., in which I called for a much greater commitment to the upgrading of the life of the Negro in this country than we are making now.

In this connection I ask unanimous consent to enter into the RECORD an editorial from the Christian Science Monitor of August 9, which shows quite forcefully the steps we must take in this direction and the reasons we must take them.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, Aug. 9, 1966]

A MASSIVE PROGRAM

It seems likely that the American people will soon be asked if they are prepared to spend large sums of money (and how much) for an all-out attack on those conditions producing today's racial unrest. When two such national figures as McGeorge Bundy, former White House special assistant and now head of the Ford Foundation, and America's foremost Negro public figure, the Rev. Dr. Martin Luther King Jr., raise the same question at almost the same moment, we can be fairly sure that here is an issue about which we shall all hear much in the near future.

Dr. King has proposed that during the next 10 years the United States spend $10 billion yearly for a kind of homefront Marshall Plan to attack the educational and living conditions which breed Negro discontent. Although Mr. Bundy named no figure, it would appear that he had roughly the same figure in mind in his suggestion of a nationwide effort to help the Negro.

Even if several billions of dollars are subtracted yearly for programs already under way, it is clear that both of these men envisage massive expenditures.

Three questions present themselves at once: (a) is such a program needed, (b) can the country afford it, and (c) will it do the trick?

It does not seem to us that there can be any doubt but that *something* of a massive and deep-going nature is needed. Efforts so far have clearly not succeeded in outrooting the cause of racial unrest. Indeed, such unrest appears to be spreading. It is by now a truism that the racial situation cannot be permitted to drag along, gradually worsening, without some new, inspired and workable effort to correct it.

Although we assume that Dr. King's figure was merely a general one, it would seem that the American economy (estimated to be presently growing at the rate of between $40 and $50 billion a year) could absorb without too great sacrifice such an effort. Indeed, the question might arise: Can America afford *not* to make such an effort? Furthermore, if such a program is reasonably successful, it could be expected to accelerate the nation's economic growth, becoming thereby in whole or in part self-liquidating.

It is, of course, utterly impossible to say whether even an effort of this size will, in fact, "do the trick."

It depends upon the extent to which these programs are oriented both toward providing greater opportunities and toward encouraging those improvements in mental, moral, and social conditions which will enable slum-dwellers to make adequate use of improved conditions. Spending large sums of money will not solve the problem unless it stimulates the deep-seated changes in attitudes, education, standards of conduct, and employability which are at the heart of the problem.

A year ago, following the Watts rioting, these columns called for massive, nationwide effort on behalf of the Negro. We believe that such a need is even more apparent today. But such an effort will be fruitless unless it simultaneously accomplishes three things. The first is the elimination of the physical conditions of slum living. The second is the elimination of those barriers of prejudice and discrimination which have helped force the Negro into the slums. The third is the elimination of those mental, social, and moral legacies of the past which help perpetuate the problem.

## STIMULATION OF THE FLOW OF MORTGAGE CREDIT FOR FHA- AND VA-ASSISTED RESIDENTIAL CONSTRUCTION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1393, S. 3688.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 3688) to stimulate the flow of mortgage credit for Federal Housing Administration and Veterans' Administration assisted residential construction.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, it is my understanding that the distinguished

chairman of the subcommittee, the Senator from Alabama [Mr. SPARKMAN], the distinguished ranking minority member of the committee, the Senator from Texas [Mr. TOWER], and the distinguished senior Senator from Delaware [Mr. WILLIAMS] will have some remarks to make on this bill but that it will not be concluded this evening.

Mr. SPARKMAN. Mr. President, the committee bill, S. 3688, has as its purpose to stimulate the flow of mortgage credit for FHA- and VA-assisted residential construction.

This would be done in two ways: First, it would provide new borrowing authority to the secondary mortgage facility of the Federal National Mortgage Association by authorizing FNMA to issue debentures up to 15 times its capital instead of the current authority of 10 times. The effect of this is to add about $2 billion new purchasing authority under this facility. Second, the bill would further increase FNMA's purchasing authority by authorizing an additional $1 billion in its special assistance function to purchase FHA and VA mortgages which do not exceed $15,000.

One of the most critical problems facing our economy today is the shortage of mortgage capital for home financing. The homebuilding industry is suffering one of its worst setbacks, from which it may not recover for many years to come. Building materials producers, real estate brokers, furnituremakers, and many other related activities are feeling the pinch of the mortgage credit shortage. More important, families seeking homes cannot buy even those houses already built because of the shortage of mortgage credit.

Mr. President, a recent survey of the impact of the credit shortage on future plans of the Nation's homebuilders revealed that residential construction starts will be down by about one-third for the remainder of this year. The latest monthly starts figures from the Department of Commerce show residential construction proceeding in June at an average annual rate of 1,264,000—down 18 percent from June of 1965. There are predictions that this rate will drop substantially below this in the coming months.

Mr. President, this situation is very disturbing to me, as I am sure it is to others who are concerned not only about homebuilding, but also about providing decent housing for our people. We realize that the basic cause of the mortgage credit shortage is the overall shortage of capital needed to finance an economy operating at full capacity levels. I understand this, but I do not believe that it is fair for homebuilders and home buyers to have to carry such a heavy share of this burden.

There are a number of remedies proposed to ease the shortage of capital on our economy and to create a better climate for mortgage lending. The Committee on Banking and Currency is considering these proposals and may make some recommendations in the future. Unfortunately, there are many problems in developing a consensus on the steps to take for a long-range remedy because of the involvement of so many groups whose interests may be seriously affected by the pending proposals.

Fortunately, however, the committee knew of no serious disagreement about the FNMA proposal now before us and gave strong bipartisan support for its quick passage by the Senate. Senator JOHN TOWER, ranking minority member of the Banking and Currency Committee, had introduced in the Senate S. 3482 which contained a FNMA provision similar in part to those in my bill S. 3529 which I had introduced on June 21. Senator TOWER can speak for himself, but I believe he strongly supports the bill now before the Senate.

Mr. President, the bill before the Senate has two sections. Section 1 would provide new borrowing authority to the secondary mortgage facility by authorizing FNMA to issue debentures up to 15 times its capital instead of the current authority of 10 times. The effect of this is to add about $2 billion new purchasing authority under this facility.

Mr. President, I have a table which shows the status of the secondary market operation under FNMA. Under existing law, FNMA's borrowing authority is $4,016,256,930, whereas, under the proposed amendment, its borrowing authority would amount to $6,024,385,395, which amounts to an increase of about $2 billion. The existing unused borrowing authority is now $746,926,930; so that once this bill becomes law, the association would have a total unused borrowing authority of about $2.7 billion. I ask unanimous consent to place in the RECORD the FNMA table.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Federal National Mortgage Association, secondary market operations, private borrowing authority*

| | |
|---|---|
| Capital and surplus (authorized at June 30, 1966) | $401,615,693 |
| 10-fold borrowing leverage (authorized) | 4,016,256,930 |
| 15-fold borrowing leverage (authorized plus 50 percent) S. 3688 | 6,024,385,395 |

CAPITAL AND SURPLUS AT JUNE 30, 1966

| | |
|---|---|
| Preferred stock authorized | 207,820,305 |
| Common stock subscription and paid-in capital surplus | 111,581,747 |
| Preferred and Common equity | 82,223,641 |
| Total | 401,625,693 |

BORROWINGS AT JUNE 30, 1966

| | |
|---|---|
| Debentures | 2,180,050,000 |
| Short-term discount notes | 1,089,280,000 |
| U.S. Treasury, interim | 0 |
| Total | 3,269,330,000 |
| Borowing authority June 30 | 4,016,256,930 |
| Approximate unused borrowing authority | 746,926,930 |

At June 30, 1966, $141,820,305 preferred stock was being utilized.

Mr. SPARKMAN. Mr. President, FNMA has placed restrictions on the purchasing of mortgages under its secondary market operations because of the concern that its funds would be quickly dissipated under current conditions. It has placed a ceiling of $15,000 on the amount of the mortgage it will buy. It has reduced the price to as low as 95 for 5¾ percent mortgages and it has limited its purchases to highly selective and good quality mortgage loans. Despite these limitations, the offerings have been so great that FNMA has purchased in the last month at an average weekly rate of about $43 million.

The pending bill would alleviate FNMA's problem and permit it to revise upward its ceiling of $15,000 and remove much of its present restrictions.

Section 2 of the bill would also increase FNMA's purchasing authority under its special assistance function with a $1 billion new authority in order to provide funds for financing low-cost housing which is not available under existing market conditions. This provision would limit the mortgage amount to $15,000 on FHA- and VA-assisted mortgages. The funding would come from two sources—$500 million from the Presidential authority, which now has an uncommitted balance of about $1.8 billion, and $500 million new Treasury borrowing. In view of FNMA's new authority to sell participations, the impact on the budget of such borrowing should be minor.

There has been some concern that the $500 million to be taken from the Presidential fund will deny some funds to the FHA section 221(d)(3) program. This concern is without foundation because $950 million of that fund is now scheduled for use in 1968 and 1969. All the amendment would do is to borrow from that part of the Presidential fund which the President has reserved for fiscal year 1969. Our problems today surely ought to be taken care of first before we worry about 1969. Those who express concern about this should be assured that adequate funds will be available to take care of section 221(d)(3) when the need is truly demonstrated.

The purpose of the new purchasing authority is to provide adequate funds for FNMA operations so that it can buy higher priced mortgages in its secondary market function and at the same time provide a market for lower priced mortgages in its special assistance function. These two operations, acting in conjunction with each other, I believe, will be a helpful support to the mortgage money market at this particular period.

I understand there has been some concern expressed about the $15,000 ceiling in the bill for the special assistance mortgages. Some homebuilders claim they cannot build homes today within this ceiling and therefore it should be raised or removed. I cannot understand this because I have figures to show that FHA is insuring at prices well within this ceiling.

According to figures given to me by the Federal Housing Administration, the range of averages for mortgages insured under section 203(b) during the last quarter of 1965 indicates that FHA has been insuring at levels well within the proposed $15,000 ceiling.

Mr. President, I ask unanimous consent to place in the RECORD a table showing the FHA average mortgage amounts

by State and by region for section 203(b) mortgages during the last quarter of 1965.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Average mortgage amount for proposed new homes with FHA-insured mortgages under sec. 203(b), 4th quarter 1965—Range of averages within region*

| | Range | Low | High |
|---|---|---|---|
| New England | | $15,051 | $15,051 |
| Connecticut | (1) | | |
| Maine | (1) | | |
| Massachusetts | $15,051 | | |
| New Hampshire | (1) | | |
| Rhode Island | (1) | | |
| Vermont | (1) | | |
| Middle Atlantic | | 14,692 | 16,160 |
| New Jersey | 16,160 | | |
| New York | 15,065 | | |
| Pennsylvania | 14,692 | | |
| East North Central | | 14,725 | 16,255 |
| Illinois | 16,255 | | |
| Indiana | 14,961 | | |
| Michigan | 14,725 | | |
| Ohio | 15,628 | | |
| Wisconsin | 15,995 | | |
| West North Central | | 15,519 | 17,388 |
| Iowa | 15,981 | | |
| Kansas | (1) | | |
| Minnesota | 17,388 | | |
| Missouri | 15,519 | | |
| Nebraska | 16,234 | | |
| North Dakota | (1) | | |
| South Dakota | (1) | | |
| South Atlantic | | 14,167 | 16,462 |
| Delaware | 16,462 | | |
| District of Columbia | (1) | | |
| Florida | 15,604 | | |
| Georgia | 15,568 | | |
| Maryland | 14,167 | | |
| North Carolina | 15,327 | | |
| South Carolina | 14,917 | | |
| Virginia | 16,012 | | |
| West Virginia | (1) | | |
| East South Central | | 14,270 | 16,008 |
| Alabama | 16,008 | | |
| Kentucky | 14,270 | | |
| Mississippi | 14,560 | | |
| Tennessee | 15,124 | | |
| West South Central | | 14,410 | 17,072 |
| Arkansas | 14,773 | | |
| Louisiana | 17,072 | | |
| Oklahoma | 14,410 | | |
| Texas | 14,965 | | |
| Mountain | | 15,236 | 17,306 |
| Arizona | 15,236 | | |
| Colorado | 16,409 | | |
| Idaho | 16,938 | | |
| Montana | 16,569 | | |
| Nevada | 17,306 | | |
| New Mexico | 16,943 | | |
| Wyoming | (1) | | |
| Utah | 16,114 | | |
| Pacific Coast States | | 14,586 | 19,493 |
| California | 19,493 | | |
| Oregon | 14,586 | | |
| Washington | 17,125 | | |
| Alaska | 29,298 | | |
| Hawaii | 21,970 | | |
| Puerto Rico | 15,598 | | |

[1] Not available.

Mr. SPARKMAN. Mr. President, these figures clearly show that homebuilders have, in fact, been building at levels averaging around $15,000 in almost all regions of the United States. It seems to me that when the Federal Government uses special assistance funds, they should be only for homes priced at a level that families of low and moderate income can buy. The need is obviously greatest at this level and I believe that the Federal Government should direct its greatest effort to the greatest need.

Mr. TOWER. Mr. President, I ask unanimous consent that during consideration of the FNMA bill, the housing bill, the urban mass transportation bill, and the comprehensive city demonstration bill, that necessary and appropriate staff members be given the privilege of the floor and admitted to the Chamber.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, as we all know too well, inflation has grown very serious. Its symptoms and consequences have gone beyond higher costs, and now inflation is upsetting whole industries.

We are suffering an attack of what is called tight money.

Let us take a look at some of the pressures inflation has forced upon us:

Consumer prices have risen alarmingly to their highest point in our Nation's history. On a 100-point index based on 1959, consumer prices have risen to 112.9.

The current annual rate of cost inflation is between 4 and 5 percent. In only 6 months the cost of food has risen 2.5 percent. Commodities have risen 1.6 percent. Services are up 2.5 percent.

The 1933 dollar is now worth 40 cents. The 1940 dollar is worth 43 cents. The 1959 dollar is worth 88 cents. Never before has the value of our dollar been so low.

Higher taxes and higher prices more than wiped out whatever additional income Americans earned in April, May, and June. The average American had $10 less purchasing power in those months than he did during the first quarter of this year.

Interest rates have risen to their highest point, and bank liquidity has fallen to its lowest point in 36 years. The prime rate for bank loans is now 5¾ percent. Home mortgage rates are averaging over 6 percent, and rates of 7 to 8 percent and climbing are reported.

The U.S. Treasury's national debt managers are borrowing money at the highest interest rate the Government has paid in 45 years.

Interest rates on automobile loans and installment credit have increased in many areas.

A general credit contraction has occurred. It has become increasingly difficult for both businesses and individuals to obtain loans.

The Nation's savings and loan institutions are, for the first time in their history, facing a serious outflow of funds. In April alone they lost $1 million in deposits to other higher interest investment opportunities. U.S. News quotes a Houston savings and loan executive as saying:

> We're a $50 million loan operation, and we have not made a single new loan since May 1.

Because loan money is not available, residential construction has dropped sharply—in some places 30 percent—in reaction to both increased costs and the credit contraction. Homebuilding last month hit a 5-year low.

And, in the face of these ominous trends, the administration is operating with a budget sure to run a deficit of between $5 and $10 billion or more, the largest budget and possibly the largest deficit in our history.

We are now faced with this deteriorating situation because of Federal insistence on following a policy of "administered inflation." Inflation, which some bureaucrats hoped could be tolerated and controlled in small doses, has not been contained. It has grown beyond all safe proportions and has turned from threat into reality.

In the absence of administrative action, Congress can take some steps to better the tight money situation, particularly its harmful consequences for the housing industry.

In June, I introduced legislation to increase the secondary mortgage purchase authority of the Federal National Mortgage Association. This would help place more loan money in the hands of savings and loan businesses so both home sellers and home buyers could complete transactions at lower rates.

I now have joined with Chairman SPARKMAN in sponsoring the pending legislation to increase by $3 billion the purchasing power of the Federal National Mortgage Association and to give it new authority to help finance FHA and VA mortgages.

I believe that this is an improved bill over the one that I originally offered. I wish to commend at this time the leadership of the distinguished Senator from Alabama [Mr. SPARKMAN] in skillfully getting the bill through the committee without a ripple and securing a unanimous favorable report on the measure.

I believe it is absolutely necessary that this relief legislation be approved as soon as possible to offset the housing industry stalemate.

We will need other, longer term solutions to combat general inflation—controlled Government spending would do a lot—but the fact remains that fast action is necessary now to alleviate the tight-money strain on consumers, on banking and savings institutions, and on the homebuilding industry.

I am hopeful that this bill will be promptly passed with a minimum of controversy.

Mr. WILLIAMS of Delaware. Mr. President, I understand that we will not proceed with the bill tonight, but I would like to make a brief comment and ask the chairman of the committee a few questions, if the chairman would yield.

Assuming that the bill passes and we pump this extra $2 billion into FNMA, at what price is it anticipated they will buy these mortgages? The chairman said they are now buying them at 95.

Mr. SPARKMAN. The amount is $2 billion.

Mr. WILLIAMS of Delaware. Yes; $2 billion. The Senator is correct.

Mr. SPARKMAN. It would simply allow FNMA to operate exactly as now.

Mr. WILLIAMS of Delaware. They would continue buying them at discount?

Mr. SPARKMAN. Mr. President, both FHA and VA, each one of them, has a ceiling on the amount that they will insure. FNMA may buy in the secondary market at the mortgage level which FHA and VA insure. FNMA does not set that level. FHA and VA set it. I would be glad to supply those figures, but that varies according to the type of house. For instance, the mortgage ceiling for single home is one level and for a multiple-unit apartment home is another level per unit and for the entire building. The FHA has limits by laws and it has been this way all along.

Mr. WILLIAMS of Delaware. I understand that.

Mr. SPARKMAN. Let me go further and say that under the Special Assistance Program, we propose to limit the mortgage to $15,000.

Mr. WILLIAMS of Delaware. The question I should like to get clear is, assuming that John Doe has a $10,000 mortgage on his home insured by FHA which has been placed in one of the banks and the bank wants to sell it under this package assuming the bill goes through, what price will be paid, the same 95 at discount below par or at par?

Mr. SPARKMAN. At the present time, they are buying them at 95. We hope that this will give them flexibility enough so that they can move toward par.

Mr. WILLIAMS of Delaware. That was the understanding I had, that they were perhaps going to take these mortgages over around par.

The next question is, if that is true, would this not be substantially a bail-out for the banking and mortgage institutions rather than an assistance to home buyers?

One problem which disturbs me is that while I realize the housing industry is in trouble, those I would like to help are the home buyers, but the talk I keep hearing about this bill is that the homebuilders need it.

I respect the homebuilders, but the purpose of this legislation should be to benefit the homeowner.

Mr. SPARKMAN. Yes; the home buyers.

Mr. WILLIAMS of Delaware. I think that we should be talking about the homeowners and how this will benefit them. I want to make sure that this is not a bail-out for someone who has gotten caught with some low-interest mortgages on hand in this high-interest era.

For example, suppose these are now bought at par; that is, 5¾-percent mortgage.

Mr. SPARKMAN. Let me say there that they will not buy them at par. They buy them at the market price. I do not believe anyone feels that it is good to have the price depressed to the extent it is at the present time. They have put that restriction on because the market is depressed, but it is the average home buyer—and I agree wholly with the statement of the Senator from Delaware—it is the average home buyer we are interested in.

Today, they cannot buy a home because the money is not available. The little bit of money that does become available is at this price which is depressed. The purpose is not to let them bail anyone out, but to provide an orderly and secondary market.

There is a secondary market now, but it is under restrictions, with no mortgage over $15,000 to be involved, and at the depressed price of 95.

Mr. WILLIAMS of Delaware. One of the situations which has brought this about is the current high interest rates, generated, of course, from a shortage of money. The 5.75 percent, $10,000 or $15,000 mortgages, is hard to place today when the banks can buy a 5.9-percent Government-guaranteed obligation, as it is sold by FNMA today under the participation sales package. I understand that the last sales were around 5.90 percent.

If this bill passes and this $2 billion is pumped into the system, would they loan at 5.75 percent on home mortgages, or would they just buy the 5.9 percent to 6-percent AAA bonds which are so readily available? As long as we keep the 5.75-percent ceiling on mortgage rates is that going to help the problem so far as the buyer of a home is concerned? That is what is bothering me.

I am not sure this proposal will cure the situation at all.

Mr. SPARKMAN. One of the problems is the interest rate, as the Senator has stated. I made some reference to it in my statement. The law limits the rate at which FHA and VA can insure to 6 percent. That is the ceiling. But there is in existence today a 5¾-percent ceiling. We do not handle that. That is an administration decision of FHA and VA. They have moved it up. From the time we got into this high interest rise, it has moved from 5¼ percent in the case of VA to 5 percent. First, 5½ percent and then later 5¾ percent. They have moved it as the market moved, and it will continue to operate but under the statutory ceiling fixed at 6 percent.

Mr. WILLIAMS of Delaware. I was not injecting the question of how we arrived at the high interest rates here. That is beside the point.

Mr. SPARKMAN. That is true. Let me say that I mentioned the Committee on Banking and Currency now has under consideration a bill which would make certain changes, changes recommended by the Federal Reserve Board and approved by the Budget Bureau, and different agencies such as Comptroller of the Currency, the Federal Deposit Insurance Corp., and so forth. That does involve several prospective changes. We have not come to any resolution as to what the details will be, but we do recognize that this, and this alone, will not solve the problem.

Mr. WILLIAMS of Delaware. That is the point. This was called to my attention. We know that we cannot place a 5.75-percent, $10,000 or $15,000 mortgage at par today. That is almost impossible.

Mr. SPARKMAN. That is correct, and we recognize that.

Mr. WILLIAMS of Delaware. So to get around the 5.75 ceiling, we have this point system, or a practice of discounting the mortgage. Suppose we have a builder constructing a home which is costing him $14,000, for example. He needs this price in order to stay in business. Normally, if the mortgage were placed at par he would sell that house for $14,000. But now he cannot sell that home for $14,000. He recognizes that he must discount it six points. This is a fact of life. Knowing he will have to discount that mortgage by six of seven points he cannot sell for $14,000 and maybe have to knock off $800; this would mean selling the home at a loss.

Mr. SPARKMAN. The Senator is correct. That is exactly what is happening now.

Mr. WILLIAMS of Delaware. Therefore, the builder is not going to continue to sell that home at a loss. So, what is he doing? He is going back to FHA, arguing out the fact that this point system is in reality a part of the cost and that he will not sell that home unless he gets the appraisal increased by the FHA. A compromise is reached, say at $14,800, so that he can finance the home and absorb the $800 discount in selling the mortgage. He gets the $14,000. The homeowner has signed a mortgage for $14,800, at 5¾ percent interest on a home which he normally would have purchased for $14,000 if it had not been for the point system.

That is what is happening.

Mr. SPARKMAN. So that the RECORD may be complete, let me remind the Senator that that home must be appraised.

Mr. WILLIAMS of Delaware. That is right.

Mr. SPARKMAN. It must be appraised by the FHA or VA, whichever one is operating. He cannot take a mortgage on that home and handle it or get it insured beyond the appraised value given by the FHA or VA. The inevitable result is that the builder, in order to sell—I will not say that he takes a loss—but sometimes he is lucky to break even or make a little profit. Therefore he has quit building.

Mr. WILLIAMS of Delaware. Suppose he is building in an area where there is a need for homes; he does not continue unless he gets a valuation high enough so that after paying this discount he can stay in business. That is the situation. It is the home buyer who ultimately pays. Let us face it. Let us follow that home buyer who is paying the $800 under the point system. These are 30-year mortgages. The bank does not want to tie up its money at 5¾ percent so it only pays 92 or 93 percent of par for the mortgage. It gets 5¾ percent plus the 6 or 7 points amortized over the 30 years of the loan. With the amortization of these points added to the 5¾ percent interest the bank gets an interest of 6 or 6¼ percent. That is the reason for the point system. It is a gimmick to raise interest charges.

An even worse effect is this. Unscrupulous operators can make more money on quick defaults than on good credit risks. For example, when they pay $9,500 for a $10,000 mortgage and amortize the 5 points discount over the 30 years they get about 6 percent. But assume the home buyer defaults in 5 years; the mortgage is turned over to the FHA at par, and the 5 points is amortized over a period of only 5 years, which brings the interest up to around 7 percent.

If the mortgage is sold to a bad credit risk who keeps the home only 2 years, considering the same points it amounts to around 8 percent interest. If the default is made in 1 year the point system is picked up for the 1 year, and the yield is nearly 10 percent.

Therefore, we have a situation here where more money is made on the bad credit risk than on the legitimate home buyer who pays the mortgage off over a 30-year period.

That is the peculiar situation we are in. There is a question as to what extent it can be corrected in this bill, but we must recognize this is a problem. Any

program that is operated in connection with a Government agency or private enterprise under which a man can make more money on a bad credit risk than he can on a good credit risk is wrong, and it should be changed.

There is no question here but that money is made on the mortgage that is in default. I think that is wrong. I think the profit should be made on the man who pays.

I have had several examples of such operations called to my attention. We should recognize the situation of what happens when on owner of a home through illness is out of work for a short time and is in default. Suppose Joe Doakes fails to pay his monthly installment. A mortgage holder who is anxious to get rid of the mortgage sends his collector, but they tell him, "Be sure he is not home when you go there."

The man fails to pay the second month. After he fails to pay the third or fourth month the FHA is notified, and the mortgage can be cashed at par. The point system has paid an excellent profit.

This bill does nothing to correct this abuse. In fact, it only pumps more money into the same system.

I have received letters from home buyers who as the result of hard luck became 3, 4, or 5 months delinquent in their payments. They were then able to catch up the full payments. The person who held the mortgage did not want to accept the backpayment because by doing so he would lose the extra profit he would make on the point system by turning the mortgage over to FHA for foreclosure.

I received a letter from a lady living in Texas whose husband is in Vietnam. She missed her payments for just a few weeks beyond the allowable time. She had the backpayments and wants to continue to live in the home. The mortgage holder does not want to accept the money because he wants to cash the mortgage in at par and collect the points. It appears that she is to be evicted and then have the house sold. Why should she not be allowed to make her payments?

To what extent is that situation corrected in this bill. I am not sure the bill should be passed. I point out that we should be trying to get at a solution for this type of situation. I think it is the home buyer who should be protected and not just a bailout for the holder of the mortgage.

That problem is not corrected under the bill before us.

I have discussed this matter with the chairman of the committee. Probably the problem should be dealt with in the bill which will follow this one, the amendments to the Housing Act, but we have a responsibility to face this problem and get a solution before we put out another $3 billion.

Perhaps we need to change the law so that the guarantee will be only on the amount paid for the mortgage. Then there will be no sure profit on the point system, and the mortgagor would have to take some chance on getting his money back. Somewhere we must find the answer. I do not support any program which puts a premium on a man who is a bad credit risk because more money can be made on defaults than on collections.

Mr. SPARKMAN. The Senator has raised a valid point, but may I point out that such a case as he has referred to is very, very rare.

Mr. WILLIAMS of Delaware. That is correct, but even one is too many.

Mr. SPARKMAN. The Senator will remember that a couple of years ago our subcommittee—I believe he knows this—made a study of forcclosures at a time when there was a rise in them. The statistics given us indicated that the foreclosures are 1½ percent. I think that is a pretty fine record and certainly is not enough to prove a danger to this program.

Mr. WILLIAMS of Delaware. I am familiar with the figures. I do not have them before me at this moment, but I will have them tomorrow.

Mr. SPARKMAN. I have them here. It is a complicated table.

In December 1965, which is the latest figure we have, the rate of default was 15.65 FHA home mortgages in default for every 1,000 mortgages in force. That is 1.56 percent.

Mr. WILLIAMS of Delaware. As related to the total amount insured by the FHA?

Mr. SPARKMAN. Of the number in force at the time, not the number insured.

Mr. WILLIAMS of Delaware. How many millions were insured as of that time?

Mr. SPARKMAN. I shall have to see if I can find the answer to the question the Senator has asked me. As of December 1965, the number of FHA home mortgages in force is 4,090,000.

Mr. WILLIAMS of Delaware. I mean in dollar volume, the total amount of insurance.

Mr. SPARKMAN. I would have to look that figure up, but I have referred to the number of mortgages. I shall check further to see if the dollar amount is given.

Mr. WILLIAMS of Delaware. I received similar statistics. I merely wish to say this. Percentages are related to the total amount of insurance. If I recall correctly, about $50 billion of insurance was outstanding at that time. If we consider that only about 1½ percent is in default that may sound low. But when we speak of 1½ percent of the total we are speaking of $750 million, and that is a large amount of defaults in mortgages.

Around $1,150 million is the amount of inventory in defaulted mortgages that had been taken over in multifamily projects and homes. That amount did not include the hundreds of millions of dollars that were involved in which deferments of mortgages had been arranged.

So I do not want anyone to be misled. I do not mean that the Senator from Alabama is misleading anyone. I mean that while the percentages seem low they do not paint a true picture because they are related to the grand total; and when we look into it, we are talking about more than a billion dollars in defaults. That sounds to me more realistic than to say that, after all, it is only about 1½ percent of the total amount insured. It is still a billion dollars.

Mr. SPARKMAN. The Senator is approximately correct in his estimate of the total amount insured. It is about $50 billion.

Mr. WILLIAMS of Delaware. I shall discuss this subject further tomorrow. The reason I have raised these questions now is to point out that we ought to be certain that whatever Congress does is directed toward helping the buyers of homes. With all due respect to the homebuilders, who do a marvelous job, it is the homeowner with whom we are concerned here. The purpose is not merely to put homebuilders and construction workers back to work; it is to provide homes for those who want them.

To whatever extent the Federal Government underwrites the cost of this particular program the benefits of the program, so far as I am concerned, should go to the home buyers. I do not think they are getting the benefits as the system is operating today.

I agree that part of of this problem is the rapid rise in interest rates in the last few years. This is something that the FHA does not have control over. But there are factors over which it does have control, and I think that some of those deficiencies in their policies need to be discussed and pointed out.

I yield the floor for tonight.

Mr. SPARKMAN. Before the Senator yields the floor, will he yield to me?

Mr. WILLIAMS of Delaware. Surely.

Mr. SPARKMAN. I have checked further on the FHA insurance. In December of 1965, it had a total of $42,045 million in insurance outstanding on one- to four-family homes.

Mr. WILLIAMS of Delaware. That is multifamily and individual homes?

Mr. SPARKMAN. No, that is the total for one- to four-family homes.

Mr. WILLIAMS of Delaware. I was discussing the totals for homes and multifamily homes.

Mr. SPARKMAN. May I say that I find no fault at all with the statements the Senator from Delaware has made. I agree with him that we are concerned with the home buyers. I believe the Senator will find that in the opening statement I made, on every occasion I used the words "homebuilders and home buyers."

Mr. WILLIAMS of Delaware. I am not directing my criticism at that alone.

Mr. SPARKMAN. We bring the homebuilders in because in order to meet the need for housing in this country, according to a study that our subcommittee made a few years ago, we need, by 1970, to be producing 2 million homes a year. Last year we produced, I believe, 1,520,400 or approximately that number. We are now running at about 1,264,000 a year. Even what we are producing now is largely a result of the momentum that was gained before this tight money situation developed; and it is predicted that there will continue to be a dropping off of homebuilding, and we will not be able to supply the homes that new families need.

That is the reason we bring the homebuilders in. We bring in the would-be home buyers because they are those families who need homes and cannot buy

them today, because of the tight money situation in the home mortgage market.

Mr. WILLIAMS of Delaware. I was not criticizing the chairman of the committee. I am only stating facts. The conditions have developed in spite of and not as a result of what the committee has done, and we might say the same thing is true for the FHA as far as high interest rates are concerned. The interest rates are higher; that is a fact of life. We are not debating the merits of that now.

But I believe the FHA has been negligent in some factors which have aggravated this problem in that they have been approving the expansion in the building of these homes, multifamily projects primarily, on the basis of the statistics here in Washington and not on the basis of whether the market in the local area can absorb them. The result is that in some areas there is, even today, the overbuilding of homes and a high rate of vacancies in existing facilities. The result is that the owners and builders of these projects are going bankrupt. We have legitimate builders who had put their money in some of those projects, thinking they could make an income by renting them. But with the unusually large number of projects which have been approved by the FHA in their areas they are being put out of business. This results from overbuilding financed by the FHA.

I cite as an example the case in Alaska, to which I referred yesterday. In Anchorage, Alaska, there were seven projects insured by the FHA. Six of them are now bankrupt. There is no reason for that. That is the result of overbuilding and loose policies. They have an unusually high vacancy rate. Someone approved projects that should have been rejected. We will not correct that problem by putting more money in that area.

We are speaking primarily here today of small homes, but the multifamily projects of which I speak are where a lot of money of FHA has gone, money that they should have been putting it single homes. I think they should have been directing their attention to the individual home buyers, rather than approving a lot of multifamily projects to stand as monuments to the folly of some local administrator.

Mr. SPARKMAN. I would not quarrel with the Senator on that point. Of course, it is hard to maintain an exact and proper balance.

May I say, with reference to the projects in Anchorage, Alaska, our subcommittee is looking into that right now. We have asked for a full report. Our subcommittee does try to keep up with these projects and programs all over the country. That is part of the work that is assigned to us under the resolution under which we operate.

Mr. WILLIAMS of Delaware. Mr. President, I yield the floor for tonight.

## MARKETING OF LOCAL GOVERNMENT BONDS SHOULD BE ENCOURAGED

Mr. SPARKMAN. Mr. President, under current circumstances in the money market, there has been increasing discussion of the difficulties that must be faced by States, cities, counties, and other local governmental authorities in selling their bonds. The receipts from these securities, as is well known, have long been used to finance the basic capital structures of the community such as schools, water, sewer, and tranportation facilities, health, and, in some cases, recreational installations. Any problems in the marketing of these bonds seriously impairs the ability of our communities to provide the better services to our citizens of today and tomorrow.

A story in the Journal of Commerce of July 20, 1966, illustrates some of these difficulties. The article states that as a result of smaller banks liquidating their municipal portfolios, and institutional and insurance investors forgoing these securities, at the present time, there is an "intense downward price pressure on the entire municipal list."

History tells us that, as far back as 1700, colonial governments were familiar with short-term borrowing. Although no precise date can be set for the birth date of municipals, there are records of such issues in the early 1800's, and securities from about 1815 had many of the characteristics of a modern municipal bond issue. Since the building of the Erie Canal in the 1820's, these bonds have been a major source of financing improvements in the public sector.

By 1900, the volume of borrowing by use of this medium was about $300 million, and by the end of World War I it was more than $1 billion a year. Between 1946 and 1960, these borrowings have increased more than sevenfold to $7½ billion. In 1966 it is authoritatively estimated that the figure might reach $13 billion.

In my own State of Alabama during an 8-year period ending in 1964, municipal bonds were issued in the total amount of over $1 billion. The total was divided according to the following uses:

Municipal Bonds—$740.9 million.
School Bonds—$131.5 million.
Water & Sewage—$127.8 million.
Recreational Facilities—$6.6 million.

The marketing of these bonds has enabled many communities in Alabama to attract new industry, where new industry is vitally needed, by allowing a company to negotiate a lease up to 30 years on new plants and equipment without an immediate outlay of capital.

In Alabama, the Wallace Act and the Cater Acts provide that land, buildings, and personal property necessary for manufacturing, processing, assembling, storing, or distributing industrial or commercial items may be included within a bond project. Under the Wallace Act, the bonds are serviced from revenues gained from the particular project.

These developments, together with Alabama's dozen river ports, ample land and water, and favorable climate and tax structure, have meant new long-term leases on life for many communities in my State in adapting to the new industrial opportunities of our age. I believe that Senators from other States will have similar stories to tell.

Beyond this, the capacities of local government to borrow is at the foundation of their ability to grow and maintain the rightful significance of State and local government in our Federal system. The projects arise out of local initiative and are shaped by local planning. They are constantly subject to local approval and local control. The willingness of our citizens to undertake this increasing level of such activity should be a great source of satisfaction, and should be encouraged in every way.

The tax-exempt status of these bonds is, of course, a central feature, because it lowers the rate of interest that must otherwise be paid by the taxpayers for the borrowed funds. As we know, however, the interest rates have been increasing, and the article states that they are now pushing through the 4-percent level.

In recognition of the importance of municipal bonds as a foundation for sound community growth, on February 16 of this year, I introduced Senate Joint Resolution 137, authorizing the President to proclaim the week of April 17 as the State and Municipal Bond Week. I was most gratified when the companion resolution House Joint Resolution 137 passed the Senate on April 5, was sent to the White House, and signed by President Johnson.

The enactment of these resolutions, I believe, demonstrates congressional recognition of the importance of maintaining an active market for municipal bonds.

Therefore, I call upon all concerned to take the action necessary at this time so that municipal bonds will not "go begging" and our local governments and local communities can look forward to a continued inflow of funds to provide for future progress. In the days ahead, I shall be doing all that I can to assist in this worthwhile cause.

Mr. President, I ask unanimous consent that the article to which I have referred be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Journal of Commerce, July 20, 1966]

### FED FUNDS LURING SMALLER BANKS—MUNICIPAL BONDS GO BEGGING

CHICAGO, July 19.—Smaller midwest commercial banks, attracted by record rates for overnight money, are becoming increasingly active sellers this Summer in the Federal funds market.

The entry of smaller banks with cash reserves to spare into the Federal funds market is being spurred by the spirited 5.5 per cent and upwards bidding by major midwest metropolitan banks. These banks, already hard-pressed under the Federal Reserve's tight money posture, are strongly apprehensive over the possibility of a serious liquidity squeeze arising during the coming weeks in the event a sharp certificate of deposit runoff occurs.

The concern over the development of a major CD runoff is being generated by rising yields for Treasury bills and Federal agency securities. These are becoming more and more attractive to corporate treasurers worrying about the widening cash-to-current-liabilities gap and hesitant in today's money markets to tie-up sizable sums in even the 89-day CD's.

#### SIZABLE NUMBER

A Journal of Commerce survey of smaller midwest banks revealed that a sizable number have entered the Federal funds market as sellers for the first time this year. A larger

number indicated participation in the Fed funds market less than three years.

While the $200 million estimated Fed funds offerings of smaller seventh district banks during recent week settlement periods are relatively minor in terms of total Fed funds volume, the recurrent return to the marketplace of these banks is noted with interest by their metropolitan correspondents. Chicago bank money desk officials indicate that transactions of as little as $100,000 are becoming fairly commonplace.

A strong motive for accepting or placing small Fed funds offerings at current high rates is the larger institution's desire to maintain and strengthen valuable correspondent ties. However, bankers admit that access to even small amounts of Federal funds can be useful in today's market.

The new Fed fund activities of smaller banks may turn out to be a case of jeopardizing opportunities for long-term profits for short-term gains, according to bank investment officers, since it involves the use of monies that might well be better employed to nail down some of the current record tax-exempt yields.

With high grade municipals pushing through the 4 per cent level, bank investment advisors report they are still finding it difficult to induce rural correspondents to make even minimum commitments in the tax-exempt sector.

Lack of smaller bank municipal buying and continuing tax exempt liquidation from portfolios of major metropolitan institutions under the tight money squeeze is maintaining intense downward price pressure on the entire municipal list. Also notable by their absence from the state and local obligations market are the institutional investors and major insurance groups.

The problem at mid-Summer appears to be everywhere the same—lack of money. The casualty insurers point out that expanded claims are making large inroads into available cash reserves and the life insurance companies report sharply increased calls for lower-rate contract loans from their policyholders. The acuteness of the situation is pointed up by indications from bankers that several life insurance firms are preparing to draw on their commercial bank credit lines for the first time since the early 1930's.

HAZARDOUS NOW

Further complicating the problems of the municipal sector is the inability to do any tax-exempt hedging or short selling in current markets. Money market analysts note that the diverse maturities and coupons of the list makes switching and short-selling a highly involved affair. In any case, the extreme thinness of the market in recent weeks would seem to make hedging or short-selling hazardous until some revival of consistent buying occurs.

Meanwhile, non-bank dealers are finding it increasingly difficult to develop sources of municipal financing outside the commercial banking system. A possible approach reportedly being considered by several dealers is resort to repurchase agreements similar to those used to finance the Treasury securities markets.

Looking to the early Fall, municipal dealers are convinced that, with the calendar light over the next 90 days, the technical side of the market is set for a sizable rally. The triggering mechanism, however, still remains in the hands of an Administration reluctant to take the pressure off the monetary side by transferring some of the burden in the form of restrictive fiscal measures.

## COLUMBUS HAD TROUBLE, TOO

Mr. SPARKMAN. Mr. President, I ran across a little item the other day in the Christian Science Monitor of August 4, 1966. To me it was most interesting, and I think it is particularly relevant at this time, because we have had some debates on the matter of providing funds for the space agency. The article is very brief, and I should like to read it. It is entitled "Columbus Had Trouble, Too."

The article is as follows:

Columbus, it appears, had about as hard a time finding support for his revolutionary idea of sailing west to reach China as do space officials today who want to land on Mars and explore the other planets.

One of the 15th-century navigator's appeals for help was to the Senate of his native state of Genoa.

The Senate of Genoa, however, recognizing it knew little about oceanic exploration, did what comes naturally to senators of any age or state: They appointed a committee to study his suggestion.

After months of debate they finally got out a report—which has only recently been discovered in a monastery library in southeastern Spain. The report ran—964 pages!

The Senate committee also sent Columbus a letter, which, in brief, discouraged his westward voyage. Its letter ended with these memorable passages:

"We feel that you will be quite pleased with the output of this progressive, forward-looking committee of profound scholars. Incidentally, there was one additional member of the committee, a rather rash and impetuous young engineer, lately of Florence, who was sent in place of the ailing Dr. Taglatti of the University of Milan. Though he came highly recommended, he showed his immaturity and poor judgment by advocating that the voyage itself be initiated immediately.

"Investigation proved him to be quite eccentric (he talks of flying machines and fancies himself an artist), and he was therefore dismissed from the committee. He is the son of a Florentine notary, and in case you desire to contact him, his name is Leonardo da Vinci."

I add this note with some pride:

Source of this historical gem is Dr. Hermann K. Weidner, Director of Research and Development Operations, Marshall Space Flight Center, Huntsville, Ala.

## ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. SPARKMAN. Mr. President, if there be no further business to come before the Senate, in accordance with the previous order, I move that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 50 minutes p.m.) the Senate adjourned until tomorrow, Thursday, August 11, 1966, at 10 a.m.

## CONFIRMATIONS

Executive nominations confirmed by the Senate August 10 (legislative day of August 9), 1966:

DEPARTMENT OF JUSTICE

Walter J. Cummings, Jr., of Illinois to be U.S. circuit judge, seventh circuit, to fill a new position created by Public Law 89-372, approved March 18, 1966.

Ted Cabot, of Florida, to be U.S. district judge for the southern district of Florida to fill a new position created by Public Law 89-372, approved March 18, 1966.

Thomas E. Fairchild, of Wisconsin, to be U.S. circuit judge, seventh circuit.

John P. Fullam, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania.

Alfred W. Moellering, of Indiana, to be U.S. attorney for the northern district of Indiana for the term of 4 years.

# EXTENSIONS OF REMARKS

## Old Settler's Day at Hillsboro, Ill.

EXTENSION OF REMARKS
OF
**HON. PAUL H. DOUGLAS**
OF ILLINOIS
IN THE SENATE OF THE UNITED STATES
*Wednesday, August 10, 1966*

Mr. DOUGLAS. Mr. President, on August 24 and 25 the good people of Hillsboro, Ill., are observing Old Settler's Day. I believe that this great historic occasion should be recognized by this body.

Hillsboro was established as the county seat of Montgomery County in 1821. In 1883, 2 days were set aside to bring the friends and neighbors of the town together and honor its past. This celebration, traditionally held on the last Wednesday and Thursday of August, has become a truly significant occasion for the people of Hillsboro.

The Old Settler's celebration pays tribute to the senior citizens who have contributed so much to the town. However, the citizens of this community, fully cognizant of the fact that the laurels of the past alone do not entitle them to the keys of the future, are making plans and improvements for the development of their city.

I welcome the opportunity to observe the Old Settler's celebration that has grown to be so much a part of the people of Hillsboro, Ill.

## Great Society Fiscal Policies Trigger Current Labor-Management Difficulty

EXTENSION OF REMARKS
OF
**HON. E. Y. BERRY**
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
*Wednesday, August 10, 1966*

Mr. BERRY. Mr. Speaker, the present airline strike and the possible intervention by Congress in this dispute point the finger of blame at the actual root of the trouble which is the Great Society's unwise fiscal policy.

Inflation, skyrocketing Government spending, and a 3.5-percent jump in the